

THE
JOURNAL OF THE ASSEMBLY

DURING THE
EIGHTEENTH SESSION

OF THE
Legislature of the State of California,
1869-70.

BEGAN ON MONDAY, THE SIXTH DAY OF DECEMBER, EIGHTEEN HUNDRED
AND SIXTY-NINE, AND ENDED ON MONDAY, THE FOURTH DAY
OF APRIL, EIGHTEEN HUNDRED AND SEVENTY.



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1870.

JOURNAL
OF THE
PROCEEDINGS OF THE ASSEMBLY.

CALIFORNIA LEGISLATURE.—ASSEMBLY.

EIGHTEENTH SESSION.

HOUSE OF ASSEMBLY,
Monday, December 6th, 1869. }

Pursuant to law, the House was called to order by John A. Eagan, Esq., Chief Clerk of the last session.

The roll of counties was called, and the following gentlemen appeared and were duly qualified (the oath being administered by the Hon. Royal T. Sprague, Associate Judge of the Supreme Court), and took their seats as members of the Assembly, as follows :

Alameda—E. D. Lewelling, Daniel Inman.
Amador and Alpine—J. M. Johnson, A. C. Brown
Butte—James C. Martin, Marion Biggs.
Calaveras—A. R. Young, E. L. Green, W. S. Williams.
Colusa and Tehama—L. Scarce.
Contra Costa—J. H. Carothers.
Del Norte and Klamath—James E. Murphy.
El Dorado—Charles Gildea, J. H. Miller, J. D. McMurtry, H. B. Newell.
Fresno—P. C. Appling.
Humboldt—J. J. De Haven.
Lake and Napa—J. C. Crigler.
Lassen and Plumas—John Lambert.
Los Angeles—M. F. Coronel, R. C. Fryer.
Marin—W. J. Miller.
Mariposa—D. M. Pool.
Mendocino—G. W. Henley.
Merced and Stanislaus—Miner Walden.
Monterey—J. A. Blankenship
Nevada—W. A. King, B. F. Hawley, T. A. Slicer, S. T. Oates.

Placer—H. M. Power, M. Waldron.
Sacramento—M. S. Horan, R. D. Stephens, J. F. Freeman, John A. Odell, James A. Duffy.
San Bernardino—J. W. Satterwhite.
San Diego—W. N. Robinson.
San Francisco—E. A. Rockwell, Joseph Naphtaly, John C. Griswold, Thomas P. Ryan, Michael Hayes, Geo. R. B. Hayes, Geo. H. Rogers, T. J. Moynihan, J. L. Romer, Chas. McMillan, H. W. Fortune, W. O'Connell.
San Joaquin—Chas. G. Hubner, J. S. Thurston.
San Luis Obispo and Santa Barbara—A. G. Escandon.
San Mateo—S. J. Finney.
Santa Clara—W. B. Shoemaker, B. D. Murphy, T. R. Thomas.
Santa Cruz—F. A. Hihn.
Shasta—A. R. Andrews.
Sierra—B. J. Sammons, John Koutz.
Siskiyou—William Shores, R. M. Martin.
Solano—R. C. Haile.
Sonoma—B. B. Munday, T. W. Hudson, Barclay Henley.
Sutter—C. P. Berry.
Trinity—John McMurry.
Tulare and Kern—E. W. Doss.
Tuolumne, Inyo and Mono—W. E. Eichelroth, J. S. Mooney, F. York.
Yolo—J. M. Kelley.
Yuba—George Merritt, C. McClaskey, J. E. Brown.

Roll called.

Quorum present.

Mr. Walden offered the following resolution :

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

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

Mr. Biggs moved to lay on the table--pending which motion, at twelve o'clock and fifty minutes, on motion of Mr. Satterwhite, the House adjourned until Tuesday, the seventh instant, at eleven o'clock A. M.

JOHN A. EAGAN, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, December 7th, 1869 }

The House met pursuant to adjournment.

W. S. Byrne, Assistant Clerk of the last session, called the House to order.

Prayer by the Rev. T. H. B. Anderson.

Roll called

Quorum present

Journal of yesterday read and approved.

Mr. Satterwhite offered the following resolution :

Resolved, That the standing rules of last session, until changed, shall govern this House.

Adopted.

Mr. Martin of Butte offered the following:

Resolved, That the Assembly now proceed to the election of Speaker, Speaker pro tem., Chief Clerk and Sergeant-at-Arms, in the order stated.

Adopted.

The Clerk announced that nominations were now in order.

FOR SPEAKER.

Mr. Rockwell nominated George H. Rogers.

Mr. Carothers nominated M. Walden.

The vote was taken, as follows:

| Names. | Rogers. | Walden. |
|----------------------------------|---------|---------|
| Andrews | 1 | ..... |
| Appling | 1 | ..... |
| Berry | 1 | ..... |
| Biggs..... | 1 | ..... |
| Blankenship..... | 1 | ..... |
| Brown of Alpine and Amador | 1 | ..... |
| Brown of Yuba | 1 | ..... |
| Carothers..... | ..... | 1 |
| Coronel..... | 1 | ..... |
| Crigler..... | 1 | ..... |
| De Haven..... | ..... | 1 |
| Doss..... | 1 | ..... |
| Duffy..... | ..... | 1 |
| Eichelroth..... | 1 | ..... |
| Escandon..... | 1 | ..... |
| Finney ..... | ..... | 1 |
| Freeman..... | 1 | ..... |
| Fryer..... | 1 | ..... |
| Gildea..... | 1 | ..... |

| Names. | Rogers. | Walden. |
|---------------------------------------|---------|---------|
| Green..... | 1 | ..... |
| Griswold..... | 1 | ..... |
| Haile..... | 1 | ..... |
| Hawley..... | 1 | ..... |
| Hayes, G. R. B..... | 1 | ..... |
| Hayes, M..... | 1 | ..... |
| Henley of Mendocino | 1 | ..... |
| Henley of Sonoma | 1 | ..... |
| Hibb..... | 1 | ..... |
| Horan..... | 1 | ..... |
| Hubner..... | 1 | ..... |
| Hudson..... | 1 | ..... |
| Inman..... | 1 | ..... |
| Kelley..... | 1 | ..... |
| King..... | 1 | ..... |
| Koutz..... | ..... | 1 |
| Lambert..... | 1 | ..... |
| Lewelling..... | ..... | 1 |
| Martin of Butte | 1 | ..... |
| Martin of Siskiyou | 1 | ..... |
| McClaskey..... | 1 | ..... |
| McMillan..... | 1 | ..... |
| McMurry of El Dorado | 1 | ..... |
| McMurry of Trinity | 1 | ..... |
| Merritt..... | 1 | ..... |
| Miller of El Dorado..... | 1 | ..... |
| Miller of Marin | 1 | ..... |
| Mooney..... | 1 | ..... |
| Moynihan | 1 | ..... |
| Munday..... | 1 | ..... |
| Murphy of Del Norte and Klamath | 1 | ..... |
| Murphy of Santa Clara | 1 | ..... |
| Naphtaly..... | 1 | ..... |
| Newell..... | 1 | ..... |
| Oates..... | 1 | ..... |
| O'Connell..... | 1 | ..... |
| Odell..... | 1 | ..... |
| Pool..... | 1 | ..... |
| Power..... | ..... | 1 |
| Robinson | 1 | ..... |
| Rockwell..... | 1 | ..... |
| Rogers..... | ..... | 1 |
| Romer..... | 1 | ..... |
| Ryan..... | 1 | ..... |
| Sammons..... | ..... | 1 |
| Satterwhite..... | 1 | ..... |
| Scarce..... | 1 | ..... |
| Shoemaker..... | 1 | ..... |
| Shores..... | 1 | ..... |
| Slicer..... | 1 | ..... |
| Stephens..... | 1 | ..... |

| Names. | Rogers. | Walden. |
|---------------|---------|---------|
| Thomas..... | 1 | ..... |
| Thurston..... | 1 | ..... |
| Walden..... | 1 | ..... |
| Waldron..... | 1 | ..... |
| Williams..... | | 1 |
| York..... | | 1 |
| Young..... | 1 | ..... |

Whole number of votes cast.....75
Necessary to a choice.....38
Mr Rogers.....64
Mr Walden.....11

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

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

Carried

The Clerk appointed as such committee: Messrs. Lambert, King and Satterwhite.

The committee conducted the Speaker elect to the Chair, where Judge Keyser, of Sutter County, administered the oath of office.

REMARKS OF THE SPEAKER.

GENTLEMEN OF THE ASSEMBLY: It is with much pleasure that I return you my sincere thanks for the honor which you have conferred upon me, in selecting me to preside over your deliberations in the new Capitol. I shall rely largely upon the older members, and the good sense of all, to assist me in maintaining the rules of order which you may adopt. If I show any more partiality to one than another, it will be to the modest, retiring member, who occupies the least time of the House. The people have sent us here to assist the other branches of the Government, to make laws for their relief, their protection and their advancement. They look to us to simplify the registry law to their understanding; to make verbal as well as written contracts payable in gold, unless otherwise specified; to keep from our shores the hordes of Mongolians who are swarming upon us, and to place the seal of their condemnation upon the Fifteenth Amendment to the Constitution of the United States

You should determine in no event to use a partizan strength ungenerously, for upon the large majority will rest all the responsibilities of legislation.

Finally, gentlemen, let us all act in such a manner that, when the last day of the session shall come, the people of the commonwealth will congratulate us that it has been good for us and them that we have been together.

SPEAKER PRO TEM.

Mr. Biggs nominated Charles Gildea.

Mr. Finney nominated J. A. Duffy.

Mr. Calderwood, of Placer County, appeared, was sworn in by the Hon. Royal T. Sprague, Associate Judge of the Supreme Court, and took his seat as a member.

The roll was now ordered called for Speaker pro tem, with the following result:

| Names. | Gildea. | Duffy. |
|----------------------------------|---------|--------|
| Andrews..... | 1 | ..... |
| Appling..... | 1 | ..... |
| Berry..... | 1 | ..... |
| Biggs..... | 1 | ..... |
| Blankenship | 1 | ..... |
| Brown of Alpine and Amador | 1 | ..... |
| Brown of Yuba | 1 | ..... |
| Calderwood..... | | 1 |
| Carothers.. | | 1 |
| Coronel..... | 1 | ..... |
| Crigler..... | 1 | ..... |
| De Haven..... | | 1 |
| Doss..... | 1 | ..... |
| Duffy..... | 1 | ..... |
| Eichelroth | 1 | ..... |
| Escandon..... | 1 | ..... |
| Finney | | 1 |
| Freeman..... | 1 | ..... |
| Fryer..... | 1 | ..... |
| Gildea..... | | 1 |
| Green..... | 1 | ..... |
| Griswold..... | 1 | ..... |
| Haile..... | 1 | ..... |
| Hawley..... | 1 | ..... |
| Hayes, G. R. B..... | 1 | ..... |
| Hayes, M..... | 1 | ..... |
| Henley of Mendocino | 1 | ..... |
| Henley of Sonoma | 1 | ..... |
| Hihn..... | 1 | ..... |
| Horan..... | 1 | ..... |
| Hubner..... | 1 | ..... |
| Hudson..... | 1 | ..... |
| Inman..... | 1 | ..... |
| Kelley.. | 1 | ..... |
| King..... | 1 | ..... |
| Koutz..... | | 1 |
| Lambert..... | 1 | ..... |
| Lewelling..... | | 1 |
| Martin of Butte | 1 | ..... |
| Martin of Siskiyou | 1 | ..... |
| McClaskey..... | 1 | ..... |
| McMillan..... | 1 | ..... |
| McMurry of El Dorado | 1 | ..... |
| McMurry of Trinity | 1 | ..... |

| Names. | Gildea. | Duffy. |
|---------------------------------------|---------|--------|
| Merritt..... | 1 | ..... |
| Miller of El Dorado | 1 | ..... |
| Miller of Marin | 1 | ..... |
| Mooney..... | 1 | ..... |
| Moynihan..... | 1 | ..... |
| Munday..... | 1 | ..... |
| Murphy of Del Norte and Klamath | 1 | ..... |
| Murphy of Santa Clara .. | 1 | ..... |
| Naphataly..... | 1 | ..... |
| Newell..... | 1 | ..... |
| Oates..... | 1 | ..... |
| O'Connell..... | 1 | ..... |
| Odell..... | 1 | ..... |
| Pool..... | 1 | ..... |
| Power..... | | 1 |
| Robinson..... | 1 | ..... |
| Rockwell..... | 1 | ..... |
| Rogers..... | 1 | ..... |
| Romer..... | 1 | ..... |
| Ryan..... | 1 | ..... |
| Sammons..... | | 1 |
| Satterwhite..... | 1 | ..... |
| Scarce..... | 1 | ..... |
| Shoemaker..... | 1 | ..... |
| Shores..... | 1 | ..... |
| Slicer..... | 1 | ..... |
| Stephens..... |  | ..... |
| Thomas..... | 1 | ..... |
| Thurston..... | 1 | ..... |
| Walden..... | 1 | ..... |
| Waldron..... | | 1 |
| Williams..... | | 1 |
| York | | 1 |
| Young..... | 1 | ..... |

Whole number of votes cast.....77
 Necessary to a choice.....39
 Mr. Gildea received.....65
 Mr. Duffy received.....12

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

FOR CHIEF CLERK.

Mr. Henley of Sonoma nominated Robert Ferral, of Sonoma.

Mr. Lewelling nominated F. W. Gross, of Alameda.

The roll was called, with the following result:

| Names. | Ferral. | Gross. |
|---------------------------------------|---------|--------|
| Andrews..... | 1 | ..... |
| Appling..... | 1 | ..... |
| Berry | 1 | ..... |
| Biggs .. | 1 | ..... |
| Blankenship | 1 | ..... |
| Brown of Alpine and Amador | 1 | ..... |
| Brown of Yuba ... | 1 | ..... |
| Calderwood..... | ..... | 1 |
| Carothers.. | ..... | 1 |
| Coronel..... | 1 | ..... |
| Crigler..... | 1 | ..... |
| De Haven..... | ..... | 1 |
| Doss | 1 | ..... |
| Duffy ..... | ..... | 1 |
| Eichelroth | 1 | ..... |
| Escandon..... | 1 | ..... |
| Finney..... | ..... | 1 |
| Freeman | 1 | ..... |
| Fryer..... | 1 | ..... |
| Gildea..... | 1 | ..... |
| Green.. | 1 | ..... |
| Griswold | 1 | ..... |
| Haile | 1 | ..... |
| Hawley..... | 1 | ..... |
| Hayes, G. R. B..... | 1 | ..... |
| Henley of Mendocino | 1 | ..... |
| Henley of Sonoma | 1 | ..... |
| Hihn | 1 | ..... |
| Horan | 1 | ..... |
| Hubner | 1 | ..... |
| Hudson | 1 | ..... |
| Inman | 1 | ..... |
| Johnson | 1 | ..... |
| Kelley | 1 | ..... |
| King | 1 | ..... |
| Koutz..... | ..... | 1 |
| Lambert | 1 | ..... |
| Lewelling..... | ..... | 1 |
| Martin of Butte | 1 | ..... |
| Martin of Siskiyou | 1 | ..... |
| McClaskey | 1 | ..... |
| McMillan | 1 | ..... |
| McMurry of El Dorado | 1 | ..... |
| McMurry of Trinity | 1 | ..... |
| Merritt..... | 1 | ..... |
| Miller of Marin | 1 | ..... |
| Mooney | 1 | ..... |
| Moyuahan | 1 | ..... |
| Munday..... | 1 | ..... |
| Murphy of Del Norte and Klamath | 1 | ..... |
| Murphy of Santa Clara | 1 | ..... |

| Names. | Ferral. | Gross. |
|------------------|---------|--------|
| Naphtaly..... | 1 | ..... |
| Newell..... | 1 | ..... |
| Oates..... | 1 | ..... |
| O'Connell..... | 1 | ..... |
| Odell..... | 1 | ..... |
| Pool..... | 1 | ..... |
| Power..... | ..... | 1 |
| Robinson..... | 1 | ..... |
| Rockwell..... | 1 | ..... |
| Rogers..... | 1 | ..... |
| Romer..... | 1 | ..... |
| Ryan..... | 1 | ..... |
| Sammons..... | ..... | 1 |
| Satterwhite..... | 1 | ..... |
| Scarce..... | 1 | ..... |
| Shoemaker..... | 1 | ..... |
| Shores..... | 1 | ..... |
| Slicer..... | 1 | ..... |
| Thomas..... | 1 | ..... |
| Thurston..... | 1 | ..... |
| Walden..... | 1 | ..... |
| Waldron..... | ..... | 1 |
| Williams..... | ..... | 1 |
| York..... | ..... | 1 |
| Young..... | 1 | ..... |

Whole number of votes cast.....76
 Necessary to a choice.....39
 Mr. Ferral received.....64
 Mr. Gross received.....12

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

FOR SERGEANT-AT-ARMS.

Mr. Duffy nominated Abel A. Wood, of Sacramento.

Mr. Slicer nominated Dana Perkins, of Placer County.

The roll was called with the following result:

| Names. | Perkins. | Wood. |
|---------------------------------|----------|-------|
| Andrews..... | 1 | ..... |
| Appling..... | 1 | ..... |
| Berry..... | 1 | ..... |
| Biggs..... | 1 | ..... |
| Blankenship..... | 1 | ..... |
| Brown of Alpine and Amador..... | 1 | ..... |

| Names. | Perkins. | Wood. |
|---------------------------------------|----------|-------|
| Brown of Yuba | 1 | ..... |
| Calderwood..... | ..... | 1 |
| Carothers..... | ..... | 1 |
| Coronel..... | 1 | ..... |
| Crigler..... | 1 | ..... |
| De Haven..... | ..... | 1 |
| Doss..... | 1 | ..... |
| Duffy..... | ..... | 1 |
| Escandon..... | 1 | ..... |
| Finney..... | ..... | 1 |
| Freeman..... | 1 | ..... |
| Fryer..... | 1 | ..... |
| Gildea..... | 1 | ..... |
| Green..... | 1 | ..... |
| Griswold..... | 1 | ..... |
| Haile..... | 1 | ..... |
| Hawley..... | 1 | ..... |
| Hayes, G. R. B..... | 1 | ..... |
| Hayes, M..... | 1 | ..... |
| Henley of Mendocino | 1 | ..... |
| Henley of Sonoma | 1 | ..... |
| Hihn..... | 1 | ..... |
| Horan | 1 | ..... |
| Hubner..... | 1 | ..... |
| Hudson..... | 1 | ..... |
| Inman..... | 1 | ..... |
| Johnson..... | 1 | ..... |
| Kelley..... | 1 | ..... |
| King..... | 1 | ..... |
| Koutz..... | ..... | 1 |
| Lambert..... | 1 | ..... |
| Lewelling..... | ..... | 1 |
| Martin of Butte | 1 | ..... |
| Martin of Siskiyou | 1 | ..... |
| McClaskey..... | 1 | ..... |
| McMillan..... | 1 | ..... |
| McMurry of El Dorado | 1 | ..... |
| McMurry of Trinity | 1 | ..... |
| Merritt..... | 1 | ..... |
| Miller of Marin | 1 | ..... |
| Mooney..... | 1 | ..... |
| Moynihan..... | 1 | ..... |
| Munday..... | 1 | ..... |
| Murphy of Del Norte and Klamath | 1 | ..... |
| Murphy of Santa Clara | 1 | ..... |
| Naphtaly..... | 1 | ..... |
| Newell..... | 1 | ..... |
| Oates..... | 1 | ..... |
| O'Connell..... | 1 | ..... |
| Odell..... | 1 | ..... |
| Pool..... | 1 | ..... |

| Names. | Perkins. | Wood. |
|------------------|----------|-------|
| Power..... | | 1 |
| Robinson..... | 1 | |
| Rockwell..... | 1 | |
| Rogers..... | 1 | |
| Romer..... | 1 | |
| Ryan..... | 1 | |
| Sammons..... | | 1 |
| Satterwhite..... | 1 | |
| Scarce..... | 1 | |
| Shoemaker..... | 1 | |
| Shores..... | 1 | |
| Slicer..... | 1 | |
| Thomas..... | 1 | |
| Thurston..... | 1 | |
| Walden..... | 1 | |
| Waldron..... | | 1 |
| Williams..... | | 1 |
| York..... | | 1 |
| Young .. | 1 | |

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 75 |
| Necessary to a choice..... | 38 |
| Mr. Perkins received..... | 63 |
| Mr Wood received..... | 12 |

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

Mr. Rockwell offered the following resolution :

Resolved, That the Speaker appoint four Pages, one Paper Folder, one Post-office Page, one Porter, one Fireman and one Watchman ; and that the above named officers shall be removable at the pleasure of the Speaker, and their places filled at his discretion.

Mr. Naphtaly offered an amendment as follows :

Resolved, That the Speaker do appoint five Pages, one Post-office Page, two Porters (who shall do the duties of Porter and Fireman), and two Watchmen.

Resolved, That the above named appointed officers shall be removable at the pleasure of the Speaker, and their places filled at his discretion.

On motion of Mr. Gildea, the resolutions were laid on the table.

Mr. Murphy of Del Norte offered the following :

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

Adopted.

On motion of Mr Brown of Amador, the Speaker administered the oath of office to the officers elected, as follows :

Charles Gildea, Speaker pro. tem.; Robert Ferral, Chief Clerk; Dana Perkins, Sergeant-at-Arms.

At twelve o'clock and twenty minutes, Mr. Murphy of Del Norte moved that the House do now adjourn until twelve o'clock to-morrow.

Mr. Rockwell moved to amend by fixing the hour at eleven o'clock to-morrow.

Mr. Gildea moved, as a substitute for the motion to adjourn, that the House do now adjourn, which, under the rules adopted, fixes the hour at eleven o'clock to-morrow.

Carried.

The House adjourned until eleven o'clock on Wednesday, the eighth instant.

GEO. H. ROGERS.

Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, December 8th, 1869. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Rev. T. H. B. Anderson.

Journal of yesterday read and approved

The Speaker appointed the following committees :

COMMITTEE ON RULES AND JOINT RULES.

Messrs. Murphy of Del Norte, Henley of Sonoma, Escandon, Scarce and Blankenship

COMMITTEE ON MILEAGE

Messrs. Miller of Marin, Merritt, Coronel, Slicer and York.

COMMITTEE ON ELECTIONS.

Messrs. Brown of Amador, Pool, M. Hayes, Martin of Butte, Calderwood, Shores and Munday.

MOTIONS AND RESOLUTIONS.

Mr. King offered the following resolution :

Resolved, That S J Lynn is hereby appointed Assistant Clerk at the Clerk's desk, at the same per diem allowed the Assistant Clerk, payable out of the Contingent Fund of the Assembly.

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

Mr. Horan, on leave, presented a communication from a committee of the citizens of Sacramento, soliciting the use of the Assembly Chamber for a ball complimentary to the State officers and members of the Legislature, upon the occupation of the new Capitol, to take place on the fifteenth instant.

Mr. Horan offered the following resolution :

Resolved, That the use of this hall be tendered to the citizens of Sacramento, in accordance with their request this day made, on condition that they cover the carpets and do no injury to the furniture.

Mr. Henley of Sonoma moved that the communication and resolution be referred to a committee of five members, to be appointed by the Speaker, said committee to report to-morrow at eleven o'clock.

Carried.

Mr. Shores offered the following resolution :

Resolved, That the Sergeant-at-Arms be and is hereby authorized to employ one clerk, with per diem pay equal to that allowed the Assistant Clerks of the Assembly.

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

Mr. Gildea moved that the House do now proceed to complete its organization.

Carried.

The Speaker appointed the following committee to act upon the resolution of Mr. Horan and the communication of the citizens of Sacramento, in reference to the use of the Assembly Chamber for a ball on the fifteenth instant: Messrs. Horan, McMillan, Duffy, Brown of Yuba, and Escandon.

On motion of Mr. Martin of Butte, Mr. Henley of Sonoma was added to the Committee as Chairman.

Mr. Satterwhite offered the following resolution :

Resolved, That the House finish its organization in the following order :

1. Assistant Clerk.
2. Minute Clerk.
3. Enrolling Clerk.
4. Engrossing Clerk.
5. Journal Clerk.
6. Two Copying Clerks.
7. Assistant Sergeant-at-Arms.
8. Chaplain.

Mr. Gildea moved to strike out the eighth order of business temporarily, on which the ayes and noes were demanded by Messrs. Brown of Amador, Crigler and Pool, and the House refused, by the following vote :

AYES—Messrs. Andrews, Eichelroth, Escandon, Fortune, Gildea, Hayes G. R. B., Hayes M., Hahn, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Newell, O'Connell, Power, Rockwell, Thomas, Waldron and Williams—18.

NOES—Messrs. Appling, Berry, Biggs, Blankenship, Brown of Alpine and Amador, Brown of Yuba, Calderwood, Carothers, Cornel, Crigler, De Haven, Doss, Duffy, Finney, Freeman, Fryer, Green, Griswold, Hailo, Hawley, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, Inman, Johnson, Kelley, King, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Munday, Murphy of Santa Clara, Oates, Odell, Pool, Robinson, Rogers, Romer, Ryan, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thurston, Walden, York and Young—60.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
December 8th, 1869. }

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

| | |
|----------------------------------|---------------------|
| President pro tem..... | E. J. Lewis. |
| Secretary | Joseph Roberts, Jr. |
| Assistant Secretary..... | B. A. Mardis. |
| Assistant Clerk at the desk..... | Edward Curtis. |
| Sergeant-at-Arms..... | Nat. Boice. |
| Assistant Sergeant-at-Arms..... | J. J. Thomas. |
| Minute Clerk..... | J. B. Stevens. |
| Journal Clerk..... | J. G. de la Guerra. |
| Engrossing Clerk..... | L. Kaplan |
| Enrolling Clerk..... | E. K. Phipps |
| Copying Clerk..... | W. S. Cooper. |
| Copying Clerk..... | Geo. M. Norton. |
| Chaplain..... | Rev. W. R. Gober. |

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

JOS. ROBERTS, Jr.,
Secretary of Senate.

The question being upon the adoption of the resolution of Mr. Satterwhite, it was adopted, and the House proceeded to complete its organization.

ASSISTANT CLERK.

Mr. Murphy of Del Norte nominated Joshua Moffet.

Mr. Sammons nominated H. W. Wallace.

The vote was taken, as follows :

| Names. | Moffet. | Wallace. |
|----------------------------------|---------|----------|
| Andrews | 1 | ..... |
| Appling..... | 1 | ..... |
| Berry..... | 1 | ..... |
| Biggs..... | 1 | ..... |
| Blankenship..... | 1 | ..... |
| Brown of Alpine and Amador | 1 | ..... |
| Brown of Yuba | 1 | ..... |
| Calderwood..... | ..... | 1 |
| Carothers..... | ..... | 1 |
| Coronel..... | 1 | ..... |
| Crigler..... | 1 | ..... |
| De Haven..... | ..... | 1 |
| Doss..... | 1 | ..... |
| Duffy..... | ..... | 1 |
| Eichelroth.. .. | 1 | ..... |
| Escandon | 1 | ..... |
| Finney..... | ..... | 1 |
| Fortune..... | 1 | ..... |
| Freeman..... | 1 | ..... |
| Gildea..... | 1 | ..... |
| Green..... | 1 | ..... |
| Griswold..... | 1 | ..... |
| Haile..... | 1 | ..... |
| Hawley..... | 1 | ..... |
| Hayes, G. R. B..... | 1 | ..... |
| Hayes, M..... | 1 | ..... |
| Henley of Mendocino | 1 | ..... |
| Henley of Sonoma | 1 | ..... |
| Hihn..... | 1 | ..... |
| Horan | 1 | ..... |
| Hubner..... | 1 | ..... |
| Hudson..... | 1 | ..... |
| Inman..... | 1 | ..... |
| Johnson | 1 | ..... |
| Kelley..... | 1 | ..... |
| King..... | 1 | ..... |
| Koutz..... | ..... | 1 |
| Lambert..... | 1 | ..... |
| Lewelling..... | ..... | 1 |
| Martin of Butte | 1 | ..... |
| Martin of Siskiyou | 1 | ..... |
| McClaskey | 1 | ..... |
| McMillan..... | 1 | ..... |
| McMurry of El Dorado | 1 | ..... |
| McMurry of Trinity | 1 | ..... |
| Merritt..... | 1 | ..... |
| Miller of El Dorado | 1 | ..... |
| Miller of Marin | 1 | ..... |
| Mooney..... | 1 | ..... |
| Moynihan..... | 1 | ..... |
| Munday..... | 1 | ..... |

| Names. | Moffet. | Wallace. |
|---------------------------------------|---------|----------|
| Murphy of Del Norte and Klamath | 1 | ..... |
| Murphy of Santa Clara | 1 | ..... |
| Naphtaly..... | 1 | ..... |
| Newell..... | 1 | ..... |
| Oates..... | 1 | ..... |
| O'Connell..... | 1 | ..... |
| Odell..... | 1 | ..... |
| Pool..... | 1 | ..... |
| Power..... | ..... | 1 |
| Robinson..... | 1 | ..... |
| Rockwell..... | 1 | ..... |
| Rogers..... | 1 | ..... |
| Romer..... | 1 | ..... |
| Ryan..... | 1 | ..... |
| Sammons ..... | ..... | 1 |
| Satterwhite..... | 1 | ..... |
| Scarce..... | 1 | ..... |
| Shoemaker..... | 1 | ..... |
| Shores..... | 1 | ..... |
| Slicer..... | 1 | ..... |
| Stephens..... | 1 | ..... |
| Thomas..... | 1 | ..... |
| Thurston..... | 1 | ..... |
| Walden..... | 1 | ..... |
| Waldron..... | ..... | 1 |
| Williams..... | ..... | 1 |
| York..... | ..... | 1 |
| Young..... | 1 | ..... |

Whole number of votes cast..... 79
 Necessary to a choice..... 40
 Mr. Moffet received..... 67
 Mr. Wallace received..... 12

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

MINUTE CLERK.

Mr. Inman nominated Newton Benedict.
 Mr. Calderwood nominated E. Aubury.
 The vote was taken as follows :

| Names. | Benedict. | Aubury. |
|----------------------------------|-----------|---------|
| Andrews | 1 | ..... |
| Appling | 1 | ..... |
| Berry | 1 | ..... |
| Biggs..... | 1 | ..... |
| Blankenship..... | 1 | ..... |
| Brown of Alpine and Amador | 1 | ..... |
| Brown of Yuba | 1 | ..... |
| Calderwood..... | ..... | 1 |
| Carothers..... | ..... | 1 |
| Coronel..... | 1 | ..... |
| Crigler | 1 | ..... |
| De Haven..... | ..... | 1 |
| Doss..... | 1 | ..... |
| Duffy..... | ..... | 1 |
| Eichelroth | 1 | ..... |
| Escandon..... | 1 | ..... |
| Finney ..... | ..... | 1 |
| Fortune | 1 | ..... |
| Freeman | 1 | ..... |
| Fryer..... | 1 | ..... |
| Gildea..... | 1 | ..... |
| Green | 1 | ..... |
| Griswold..... | 1 | ..... |
| Haile | 1 | ..... |
| Hawley | 1 | ..... |
| Hayes, G. R. B..... | 1 | ..... |
| Hayes, M..... | 1 | ..... |
| Henley of Mendocino | 1 | ..... |
| Henley of Sonoma | 1 | ..... |
| Hihn..... | 1 | ..... |
| Horan..... | 1 | ..... |
| Hubner..... | 1 | ..... |
| Hudson | 1 | ..... |
| Inman | 1 | ..... |
| Johnson | 1 | ..... |
| Kelley..... | 1 | ..... |
| King | 1 | ..... |
| Koutz..... | ..... | 1 |
| Lambert | 1 | ..... |
| Lewelling ..... | ..... | 1 |
| Martin of Butte | 1 | ..... |
| Martin of Siskiyou | 1 | ..... |
| McClaskey..... | 1 | ..... |
| McMillan | 1 | ..... |
| McMurry of El Dorado | 1 | ..... |
| McMurry of Trinity | 1 | ..... |
| Merritt | 1 | ..... |
| Miller of El Dorado | 1 | ..... |
| Miller of Marin | 1 | ..... |

| Names. | Benedict. | Aubury. |
|---------------------------------------|-----------|---------|
| Mooney..... | 1 | ..... |
| Moynihan | 1 | ..... |
| Munday... .. | 1 | ..... |
| Murphy of Del Norte and Klamath | 1 | ..... |
| Murphy of Santa Clara | 1 | ..... |
| Naphtaly..... | 1 | ..... |
| Newell | 1 | ..... |
| Oates..... | 1 | ..... |
| O'Connell..... | 1 | ..... |
| Odell..... | 1 | ..... |
| Pool..... | 1 | ..... |
| Power..... | ..... | 1 |
| Robinson | 1 | ..... |
| Rockwell | 1 | ..... |
| Rogers | 1 | ..... |
| Romer..... | 1 | ..... |
| Ryan | 1 | ..... |
| Sammons..... | ..... | 1 |
| Satterwhite | 1 | ..... |
| Scarce | 1 | ..... |
| Shoemaker..... | 1 | ..... |
| Shores..... | 1 | ..... |
| Slicer..... | 1 | ..... |
| Stephens..... | 1 | ..... |
| Thomas | 1 | ..... |
| Thurston | 1 | ..... |
| Walden | 1 | ..... |
| Waldron..... | ..... | 1 |
| Williams..... | ..... | 1 |
| York..... | ..... | 1 |
| Young..... | 1 | ..... |

Whole number of votes cast.....80
 Necessary to a choice.....41
 Mr. Benedict received.....68
 Mr. Aubury received.....12

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

ENROLLING CLERK.

Mr. Haile nominated David F. Beveridge.
 Mr. Waldron nominated C. B. Porter.
 A vote was taken, as follows :

| Names. | Beveridge. | Porter. |
|----------------------------------|------------|---------|
| Andrews | 1 | ..... |
| Appling | 1 | ..... |
| Berry | 1 | ..... |
| Biggs | 1 | ..... |
| Blankenship | 1 | ..... |
| Brown of Alpine and Amador | 1 | ..... |
| Brown of Yuba | 1 | ..... |
| Calderwood ..... | ..... | 1 |
| Carothers ..... | ..... | 1 |
| Coronel | 1 | ..... |
| Crigler | 1 | ..... |
| De Haven ..... | ..... | 1 |
| Doss | 1 | ..... |
| Duffy ..... | ..... | 1 |
| Eichelroth | 1 | ..... |
| Escandon | 1 | ..... |
| Finney ..... | ..... | 1 |
| Fortune | 1 | ..... |
| Freeman | 1 | ..... |
| Fryer | 1 | ..... |
| Gildea | 1 | ..... |
| Green | 1 | ..... |
| Griswold | 1 | ..... |
| Haile | 1 | ..... |
| Hawley | 1 | ..... |
| Hayes, G. R. B. | 1 | ..... |
| Hayes, M. | 1 | ..... |
| Henley of Mendocino | 1 | ..... |
| Henley of Sonoma | 1 | ..... |
| Hihn | 1 | ..... |
| Horan | 1 | ..... |
| Hubner | 1 | ..... |
| Hudson | 1 | ..... |
| Inman .. | 1 | ..... |
| Johnson | 1 | ..... |
| Kelley | 1 | ..... |
| King | 1 | ..... |
| Koutz ..... | ..... | 1 |
| Lambert | 1 | ..... |
| Lewelling ..... | ..... | 1 |
| Martin of Butte | 1 | ..... |
| Martin of Siskiyou | 1 | ..... |
| McClaskey | 1 | ..... |
| McMillan | 1 | ..... |
| McMurry of El Dorado | 1 | ..... |
| McMurry of Trinity | 1 | ..... |
| Merritt | 1 | ..... |
| Miller of El Dorado | 1 | ..... |
| Miller of Marin | 1 | ..... |
| Mooney | 1 | ..... |
| Moynihan | 1 | ..... |

| Names. | Beveridge. | Porter. |
|---------------------------------------|------------|---------|
| Munday | 1 | ..... |
| Murphy of Del Norte and Klamath | 1 | ..... |
| Murphy of Santa Clara | 1 | ..... |
| Naphtaly | 1 | ..... |
| Newell | 1 | ..... |
| Oates .. | 1 | ..... |
| O'Connell | 1 | ..... |
| Odell | 1 | ..... |
| Pool | 1 | ..... |
| Power ..... | ..... | 1 |
| Robinson | 1 | ..... |
| Rockwell | 1 | ..... |
| Rogers | 1 | ..... |
| Romer | 1 | ..... |
| Ryan .. | 1 | ..... |
| Sammons ..... | ..... | 1 |
| Satterwhite | 1 | ..... |
| Scarce | 1 | ..... |
| Shoemaker | 1 | ..... |
| Shores | 1 | ..... |
| Slicer .. | 1 | ..... |
| Stephens | 1 | ..... |
| Thomas | 1 | ..... |
| Thurston | 1 | ..... |
| Walden ..... | ..... | ..... |
| Waldron ..... | ..... | 1 |
| Williams ..... | ..... | 1 |
| York ..... | ..... | 1 |
| Young | 1 | ..... |

Whole number of votes cast.....80

Necessary to a choice.....41

Mr. Beveridge received.....67

Mr. Porter received.....12

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

ENGROSSING CLERK.

Mr. Stephens nominated Fenwick Fisher.

Mr. York nominated George B Stanford.

The vote was taken, as follows :

| Names. | Fisher. | Stanford. |
|----------------------------------|---------|-----------|
| Andrews | 1 | ..... |
| Appling | 1 | ..... |
| Berry | 1 | ..... |
| Biggs | 1 | ..... |
| Blankenship | 1 | ..... |
| Brown of Alpine and Amador | 1 | ..... |
| Brown of Yuba | 1 | ..... |
| Calderwood ..... | ..... | 1 |
| Carothers ..... | ..... | 1 |
| Coronel | 1 | ..... |
| Crigler.. .. | 1 | ..... |
| De Haven ..... | ..... | 1 |
| Doss | 1 | ..... |
| Duffy ..... | ..... | 1 |
| Eichelroth | 1 | ..... |
| Escandon | 1 | ..... |
| Finney ..... | ..... | 1 |
| Fortune | 1 | ..... |
| Freeman | 1 | ..... |
| Fryer | 1 | ..... |
| Gildea | 1 | ..... |
| Green | 1 | ..... |
| Griswold | 1 | ..... |
| Haile | 1 | ..... |
| Hawley | 1 | ..... |
| Hayes, G. R. B | 1 | ..... |
| Hayes, M. | 1 | ..... |
| Henley of Mendocino | 1 | ..... |
| Henley of Sonoma | 1 | ..... |
| Hihn | 1 | ..... |
| Horan | 1 | ..... |
| Huhner | 1 | ..... |
| Hudson | 1 | ..... |
| Inman | 1 | ..... |
| Johnson | 1 | ..... |
| Kelley | 1 | ..... |
| King | 1 | ..... |
| Koutz ..... | ..... | 1 |
| Lambert | 1 | ..... |
| Lewelling ..... | ..... | 1 |
| Martin of Butte | 1 | ..... |
| Martin of Siskiyou | 1 | ..... |
| McClaskey... .. | 1 | ..... |
| McMillan | 1 | ..... |
| McMurry of El Dorado | 1 | ..... |
| McMurry of Trinity | 1 | ..... |
| Miller of El Dorado | 1 | ..... |
| Miller of Marin | 1 | ..... |
| Mooney | 1 | ..... |
| Moynihan | 1 | ..... |
| Munday | 1 | ..... |

| Names. | Fisher. | Stanford. |
|---------------------------------------|---------|-----------|
| Murphy of Del Norte and Klamath | 1 | ..... |
| Murphy of Santa Clara | 1 | ..... |
| Naphtaly | 1 | ..... |
| Newell | 1 | ..... |
| Oates | 1 | ..... |
| O'Connell..... | 1 | ..... |
| Odell..... | 1 | ..... |
| Pool | 1 | ..... |
| Power ..... | ..... | 1 |
| Rockwell..... | 1 | ..... |
| Rogers | 1 | ..... |
| Romer | 1 | ..... |
| Ryan | 1 | ..... |
| Sammons ..... | ..... | 1 |
| Satterwhite..... | 1 | ..... |
| Scarce..... | 1 | ..... |
| Shoemaker. | 1 | ..... |
| Shores | 1 | ..... |
| Slicer | 1 | ..... |
| Stephens | 1 | ..... |
| Thomas | 1 | ..... |
| Walden | 1 | ..... |
| Waldron ..... | ..... | 1 |
| Williams ..... | ..... | 1 |
| York..... | ..... | 1 |
| Young | 1 | ..... |

Whole number of votes cast76
 Necessary to a choice.....39
 Mr. Fisher received.....64
 Mr. Stanford received.....12

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

JOURNAL CLERK.

Mr. Martin of Butte nominated A. S. Henshaw.

Mr. Williams nominated John F. Sheehan.

The vote was taken, as follows :

| Names. | Henshaw. | Sheehan. |
|----------------------------------|----------|----------|
| Andrews..... | 1 | ..... |
| Appling..... | 1 | ..... |
| Berry..... | 1 | ..... |
| Biggs..... | 1 | ..... |
| Blankenship..... | 1 | ..... |
| Brown of Alpine and Amador | 1 | ..... |
| Brown of Yuba | 1 | ..... |
| Calderwood..... | ..... | 1 |
| Carothers..... | ..... | 1 |
| Coronel..... | 1 | ..... |
| Crigler..... | 1 | ..... |
| De Haven..... | ..... | 1 |
| Doss..... | 1 | ..... |
| Duffy..... | ..... | 1 |
| Eichelroth..... | 1 | ..... |
| Escandon..... | 1 | ..... |
| Finney..... | ..... | 1 |
| Fortune..... | 1 | ..... |
| Freeman..... | 1 | ..... |
| Fryer..... | 1 | ..... |
| Gildea..... | 1 | ..... |
| Green..... | 1 | ..... |
| Griswold..... | 1 | ..... |
| Haile..... | 1 | ..... |
| Hawley..... | 1 | ..... |
| Hayes, G. R. B..... | 1 | ..... |
| Hayes, M. | 1 | ..... |
| Henley of Mendocino | 1 | ..... |
| Henley of Sonoma | 1 | ..... |
| Hihn..... | 1 | ..... |
| Horan..... | 1 | ..... |
| Hubner..... | 1 | ..... |
| Hudson..... | 1 | ..... |
| Inman..... | 1 | ..... |
| Johnson..... | 1 | ..... |
| Kelley..... | 1 | ..... |
| King..... | 1 | ..... |
| Koutz..... | ..... | 1 |
| Lambert..... | 1 | ..... |
| Lewelling..... | ..... | 1 |
| Martin of Butte | 1 | ..... |
| Martin of Siskiyou | 1 | ..... |
| McClaskey..... | 1 | ..... |
| McMillan..... | 1 | ..... |
| McMurry of El Dorado | 1 | ..... |
| McMurry of Trinity.. . . . | 1 | ..... |
| Merritt..... | 1 | ..... |
| Miller of El Dorado | 1 | ..... |
| Miller of Marin | 1 | ..... |
| Mooney..... | 1 | ..... |
| Moynihan | 1 | ..... |

| Names. | Henshaw. | Sheehan. |
|---------------------------------------|----------|----------|
| Munday..... | 1 | ..... |
| Murphy of Del Norte and Klamath | 1 | ..... |
| Murphy of Santa Clara | 1 | ..... |
| Naphtaly | 1 | ..... |
| Newell..... | 1 | ..... |
| Oates..... | 1 | ..... |
| O'Connell..... | 1 | ..... |
| Odell..... | 1 | ..... |
| Pool..... | 1 | ..... |
| Power..... | | 1 |
| Robinson..... | 1 | ..... |
| Rogers..... | 1 | ..... |
| Romer..... | 1 | ..... |
| Ryan..... | 1 | ..... |
| Sammons..... | | 1 |
| Satterwhite..... | 1 | ..... |
| Scarce..... | 1 | ..... |
| Shoemaker..... | 1 | ..... |
| Shores..... | 1 | ..... |
| Slicer | 1 | ..... |
| Stephens..... | 1 | ..... |
| Thomas..... | 1 | ..... |
| Thurston..... | 1 | ..... |
| Walden..... | 1 | ..... |
| Waldron..... | | 1 |
| Williams..... | | 1 |
| York..... | | 1 |
| Young..... | 1 | ..... |

Whole number of votes cast79
 Necessary to choice.....40
 Mr. Henshaw.....66
 Mr. Sheehan.....12

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

COPYING CLERKS.

Mr. Griswold nominated J C Edwards and T. D. Murphy.
 Mr. De Haven nominated L. W. Gillette and W. H. Hawkins.
 The vote was taken, as follows:

| Names. | Edwards. | Murphy. | Hawkins. | Gillette. |
|---------------------------------|----------|---------|----------|-----------|
| Andrews..... | 1 | 1 | ..... | ..... |
| Appling | 1 | 1 | ..... | ..... |
| Berry | 1 | 1 | ..... | ..... |
| Biggs | 1 | 1 | ..... | ..... |
| Blankenship | 1 | 1 | ..... | ..... |
| Brown of Alpine and Amador..... | 1 | 1 | ..... | ..... |
| Brown of Yuba | 1 | 1 | ..... | ..... |
| Calderwood | 1 | 1 | ..... | ..... |
| Carothers ..... | ..... | ..... | 1 | 1 |
| Crigler | 1 | 1 | ..... | ..... |
| De Haven ..... | ..... | ..... | 1 | 1 |
| Doss | 1 | 1 | ..... | ..... |
| Duffy. .... | ..... | ..... | 1 | 1 |
| Eichelroth | 1 | 1 | ..... | ..... |
| Escandon | 1 | 1 | ..... | ..... |
| Finney .... | ..... | ..... | 1 | 1 |
| Freeman..... | 1 | 1 | ..... | ..... |
| Fryer | 1 | 1 | ..... | ..... |
| Green | 1 | 1 | ..... | ..... |
| Griswold | 1 | 1 | ..... | ..... |
| Haile | 1 | 1 | ..... | ..... |
| Hawley | 1 | 1 | ..... | ..... |
| Hayes, G. R. B..... | 1 | 1 | ..... | ..... |
| Hayes, M..... | 1 | 1 | ..... | ..... |
| Henley of Mendocino | 1 | 1 | ..... | ..... |
| Henley of Sonoma | 1 | 1 | ..... | ..... |
| Hihn..... | 1 | 1 | ..... | ..... |
| Horan | 1 | 1 | ..... | ..... |
| Hubner | 1 | 1 | ..... | ..... |
| Hudson | 1 | 1 | ..... | ..... |
| Inman | 1 | 1 | ..... | ..... |
| Kelley | 1 | 1 | ..... | ..... |
| King..... | 1 | 1 | ..... | ..... |
| Koutz..... | ..... | ..... | 1 | 1 |
| Lambert | 1 | 1 | ..... | ..... |
| Lewelling ..... | ..... | ..... | 1 | 1 |
| Martin of Butte..... | 1 | 1 | ..... | ..... |
| Martin of Siskiyou | 1 | 1 | ..... | ..... |
| McClaskey | 1 | 1 | ..... | ..... |
| McMillan..... | 1 | 1 | ..... | ..... |
| McMurry of El Dorado | 1 | 1 | ..... | ..... |
| McMurry of Trinity | 1 | 1 | ..... | ..... |
| Merritt..... | 1 | 1 | ..... | ..... |
| Miller of El Dorado..... | 1 | 1 | ..... | ..... |
| Miller of Marin..... | 1 | 1 | ..... | ..... |
| Mooney..... | 1 | 1 | ..... | ..... |
| Munday | 1 | 1 | ..... | ..... |
| Murphy of Del Norte and Klamath | 1 | 1 | ..... | ..... |
| Murphy of Santa Clara | 1 | 1 | ..... | ..... |

| Names. | Edwards. | Murphy. | Hawkins. | Gillette. |
|-------------------|----------|---------|----------|-----------|
| Naphtaly..... | 1 | 1 | ..... | ..... |
| Newell..... | 1 | 1 | ..... | ..... |
| Oates | 1 | 1 | ..... | ..... |
| O'Connell | 1 | 1 | ..... | ..... |
| Odell..... | 1 | 1 | ..... | ..... |
| Pool | 1 | 1 | ..... | ..... |
| Power ..... | ..... | ..... | 1 | 1 |
| Robinson | 1 | 1 | ..... | ..... |
| Rockwell | 1 | 1 | ..... | ..... |
| Rogers..... | 1 | 1 | ..... | ..... |
| Romer | 1 | 1 | ..... | ..... |
| Ryan | 1 | 1 | ..... | ..... |
| Sammons..... | ..... | ..... | 1 | 1 |
| Satterwhite | 1 | 1 | ..... | ..... |
| Searce | 1 | 1 | ..... | ..... |
| Shoemaker..... | 1 | 1 | ..... | ..... |
| Shores | 1 | 1 | ..... | ..... |
| Slicer..... | 1 | 1 | ..... | ..... |
| Stephens | 1 | 1 | ..... | ..... |
| Thomas | 1 | 1 | ..... | ..... |
| Thurston | 1 | 1 | ..... | ..... |
| Walden | 1 | 1 | ..... | ..... |
| Waldron ..... | ..... | ..... | 1 | 1 |
| Williams ..... | ..... | ..... | 1 | 1 |
| York..... | ..... | ..... | 1 | 1 |
| Young..... | ..... | ..... | 1 | 1 |

Whole number of votes cast.....74
 Necessary to a choice..38
 Mr. Edwards received..63
 Mr. Murphy received.....63
 Mr. Hawkins received.....11
 Mr. Gillette received.....11

Messrs. Edwards and Murphy having received a majority of all the votes cast, were declared duly elected Copying Clerks.

ASSISTANT SERGEANT-AT-ARMS.

Mr. Appling nominated J. M. Shannon.

Mr. Powers nominated R. R. Hughes.

The roll was called, with the following result :

| Names. | Shannon. | Hughes. |
|---------------------------------------|----------|---------|
| Andrews | 1 | ..... |
| Appling | 1 | ..... |
| Berry | 1 | ..... |
| Biggs | 1 | ..... |
| Blankenship | 1 | ..... |
| Brown of Alpine and Amador | 1 | ..... |
| Brown of Yuba | 1 | ..... |
| Calderwood ..... | ..... | 1 |
| Carothers ..... | ..... | 1 |
| Crigler | 1 | ..... |
| De Haven ..... | ..... | 1 |
| Doss | 1 | ..... |
| Duffy ..... | ..... | 1 |
| Eichelroth | 1 | ..... |
| Escandon | 1 | ..... |
| Finney ..... | ..... | 1 |
| Freeman | 1 | ..... |
| Fryer | 1 | ..... |
| Gildea | 1 | ..... |
| Green | 1 | ..... |
| Griswold | 1 | ..... |
| Haile | 1 | ..... |
| Hawley | 1 | ..... |
| Hayes, G. R. B. | 1 | ..... |
| Hayes, M. | 1 | ..... |
| Henley of Mondocino | 1 | ..... |
| Henley of Sonoma | 1 | ..... |
| Hihn | 1 | ..... |
| Horan | 1 | ..... |
| Hubner | 1 | ..... |
| Hudson | 1 | ..... |
| Inman | 1 | ..... |
| Johnson | 1 | ..... |
| Kelley | 1 | ..... |
| King | 1 | ..... |
| Koutz ..... | ..... | 1 |
| Lambert | 1 | ..... |
| Lewelling ..... | ..... | 1 |
| Martin of Butte | 1 | ..... |
| Martin of Siskiyou | 1 | ..... |
| McClaskey | 1 | ..... |
| McMillan | 1 | ..... |
| McMurry of El Dorado | 1 | ..... |
| McMurry of Trinity | 1 | ..... |
| Merritt | 1 | ..... |
| Miller of El Dorado | 1 | ..... |
| Miller of Marin | 1 | ..... |
| Mooney | 1 | ..... |
| Moynihan | 1 | ..... |
| Munday | 1 | ..... |
| Murphy of Del Norte and Klamath | 1 | ..... |

| Names. | Shannon. | Hughes. |
|-----------------------------|----------|---------|
| Murphy of Santa Clara | 1 | ..... |
| Naphtaly..... | 1 | ..... |
| Newell..... | 1 | ..... |
| Oates | 1 | ..... |
| O'Connell..... | 1 | ..... |
| Odell..... | 1 | ..... |
| Pool..... | 1 | ..... |
| Power..... | ..... | 1 |
| Robinson | 1 | ..... |
| Rockwell..... | 1 | ..... |
| Rogers | 1 | ..... |
| Romer | 1 | ..... |
| Ryan..... | 1 | ..... |
| Sammons..... | ..... | 1 |
| Satterwhite..... | 1 | ..... |
| Scarce | 1 | ..... |
| Shoemaker | 1 | ..... |
| Shores | 1 | ..... |
| Slicer | 1 | ..... |
| Stephens..... | 1 | ..... |
| Thomas..... | 1 | ..... |
| Thurston | 1 | ..... |
| Walden | 1 | ..... |
| Waldron ..... | ..... | 1 |
| Williams ..... | ..... | 1 |
| York..... | ..... | 1 |
| Young | 1 | ..... |

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 78 |
| Necessary to a choice..... | 40 |
| J. M. Shannon received..... | 66 |
| R. R. Hughes..... | 12 |

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

CHAPLAIN.

Mr. Munday nominated the Rev. J. G. Johnson, of Sonoma.

Mr. Gildea rose to a point of order, and said a Chaplain was not a regular officer of this House, and that it would require the adoption of a resolution if this Assembly wished the services of a Chaplain, and moved that the whole matter be made the special order for two o'clock to-morrow.

The Speaker decided that the election of a Chaplain was the eighth order of business, and was next in order now before the House.

Mr. Gildea appealed from the decision of the Chair, which appeal met with the necessary second, but, on leave, was withdrawn.

Mr. Duffy renewed the appeal, upon which the ayes and noes were demanded by Messrs. Duffy, Power and G. R. B. Hayes.

The question being, "Shall the decision of the Chair stand as the decision of the House?" the Chair was sustained by the following vote:

AYES—Messrs Berry, Biggs, Blankenship, Brown of Alpine and Amador, Carothers, Crigler, Doss, Eichelroth, Escandon, Freeman, Fryer, Green, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Kelley, King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, Merritt, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thurston, Walden, York and Young—53.

NOES—Messrs Andrews, Calderwood, De Haven, Duffy, Finney, Hayes M., Hihn, Johnson, Koutz, McMurry of El Dorado, Power, Ryan, Sammons, Thomas and Waldron—15.

Mr. Munday again placed the Rev. Mr. Johnson in nomination.

Mr. Duffy nominated the Rev. Thomas Gibney, of Sacramento.

The roll was called and Mr. Johnson elected Chaplain, by the following vote:

| Names. | Johnson | Gibney. |
|---------------------------------|---------|---------|
| Andrews..... | 1 | ..... |
| Appling..... | 1 | ..... |
| Berry..... | 1 | ..... |
| Biggs..... | 1 | ..... |
| Blankenship..... | 1 | ..... |
| Brown of Alpine and Amador..... | 1 | ..... |
| Brown of Yuba..... | | 1 |
| Calderwood..... | | 1 |
| Carothers..... | 1 | ..... |
| Coronel..... | 1 | ..... |
| Crigler..... | | 1 |
| De Haven..... | 1 | ..... |
| Doss..... | | 1 |
| Duffy..... | | 1 |
| Eichelroth..... | 1 | ..... |
| Fortune..... | 1 | ..... |
| Freeman..... | 1 | ..... |
| Fryer..... | 1 | ..... |
| Gildea..... | 1 | ..... |
| Green..... | 1 | ..... |
| Haile..... | 1 | ..... |
| Hawley..... | 1 | ..... |
| Hayes, G. R. B..... | 1 | ..... |
| Henley of Mendocino..... | 1 | ..... |
| Henley of Sonoma..... | 1 | ..... |
| Hihn..... | 1 | ..... |
| Horan..... | 1 | ..... |
| Hubner..... | 1 | ..... |
| Hudson..... | 1 | ..... |
| Inman..... | 1 | ..... |

| Names. | Johnson. | Gibney. |
|-----------------------------|----------|---------|
| Johnson..... | 1 | ..... |
| Kelley..... | 1 | ..... |
| King..... | 1 | ..... |
| Koutz..... | ..... | 1 |
| Lambert..... | 1 | ..... |
| Martin of Butte | 1 | ..... |
| Martin of Siskiyou | 1 | ..... |
| McClaskey..... | 1 | ..... |
| McMillan..... | 1 | ..... |
| McMurry of El Dorado | 1 | ..... |
| McMurry of Trinity..... | 1 | ..... |
| Merritt..... | 1 | ..... |
| Miller, of El Dorado..... | 1 | ..... |
| Miller, of Marin..... | 1 | ..... |
| Mooney..... | 1 | ..... |
| Munday..... | 1 | ..... |
| Murphy of Santa Clara | 1 | ..... |
| Naphtaly..... | 1 | ..... |
| Newell..... | 1 | ..... |
| Oates..... | 1 | ..... |
| Odell | 1 | ..... |
| Pool..... | 1 | ..... |
| Power..... | ..... | 1 |
| Rockwell..... | 1 | ..... |
| Romer..... | 1 | ..... |
| Ryan..... | 1 | ..... |
| Sammons..... | ..... | 1 |
| Satterwhite. | 1 | ..... |
| Scarce..... | 1 | ..... |
| Shoemaker..... | 1 | ..... |
| Shores..... | 1 | ..... |
| Slicer..... | 1 | ..... |
| Stephens..... | 1 | ..... |
| Thomas..... | 1 | ..... |
| Thurston..... | 1 | ..... |
| Walden..... | 1 | ..... |
| Waldron..... | ..... | 1 |
| York..... | ..... | 1 |
| Young..... | 1 | ..... |

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 70 |
| Necessary to a choice..... | 36 |
| Mr. Johnson..... | 60 |
| Mr. Gibney..... | 10 |

The Assistant Clerk, Minute Clerk, Enrolling Clerk, Engrossing Clerk, Journal Clerk, Copying Clerks and Assistant Sergeant-at-Arms appeared, and were sworn in as officers of the Assembly by the Speaker.

Mr. Brown of Amador offered the following resolution :

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

| | |
|---------------------------------|---------------------------------|
| Speaker..... | George H. Rogers. |
| Speaker pro tem..... | Charles Gildea. |
| Chief Clerk..... | Robert Ferral. |
| Sergeant-at-Arms | Dana Perkins. |
| Assistant Clerk..... | Joshua Moffet. |
| Minute Clerk..... | Newton Benedict. |
| Enrolling Clerk..... | D. F. Beveridge. |
| Engrossing Clerk..... | Fenwick Fisher. |
| Journal Clerk..... | A. L. Henshaw. |
| Copying Clerks..... | J. C. Edwards and T. D. Murphy. |
| Assistant Sergeant-at-Arms..... | J. M. Shannon. |
| Chaplain..... | J. G. Johnson. |

Adopted.

At one o'clock and fifteen minutes P. M., Mr. Murphy of Del Norte moved to adjourn.

Lost

Mr. Naphtaly moved to take from the table the resolution and amendment offered on yesterday, in reference to the appointment of Pages, Porter, Fireman and Watchman

Carried.

Mr. Mooney offered the following amendment :

Resolved, That the Speaker appoint six Pages, one Post-office Page, two Porters and two Watchmen, who shall be removable at the pleasure of the Speaker.

Lost.

Mr. Rockwell moved that the resolution and amendments be laid on the table, to take up a message from the Senate.

Carried.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
December 8th, 1869. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate this day, under suspension of the rules, passed Senate Bill No 1—An Act amendatory of and supplementary to an Act entitled an Act to provide revenue for the School Department of the City and County of San Francisco, and to change the time and manner of electing the Superintendent of Public Schools of said city and county, approved March thirtieth, eighteen hundred and sixty-eight.

Also, adopted the following resolution :

Resolved by the Senate, the Assembly concurring, That the use of the Senate and Assembly Chambers be tendered to the citizens of Sacramento, in accordance with their request this day made, on condition that they cover the carpets and do no injury to the furniture.

B. A. MARDIS,
Assistant Secretary.

Mr. Gildea offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That a committee of three from each house be appointed to inform the Governor of the organization of the Legislature.

Adopted.

The Speaker appointed on the part of the House, Messrs. Gildea, Biggs and Ryan.

On motion of Mr. Rockwell, Senate Bill No. 1 was taken up—An Act amendatory of and supplementary to an Act to provide revenue for the School Department of the City and County of San Francisco, and to change the time and manner of electing the Superintendent of Public Schools of said city and county, approved March thirtieth, eighteen hundred and sixty-nine.

Read first and second times.

Mr. Satterwhite moved to suspend the rules, including rule sixty, and to place the bill upon its third reading and passage.

Mr. Henley of Sonoma moved the previous question ; on which the ayes and noes were demanded by the requisite number, and sustained by the following vote :

AYES—Messrs. Appling, Berry, Blankenship, Brown of Yuba, Coronel, Crigler, Doss, Eichelroth, Escandon, Fortune, Freeman, Fryer, Griswold, Haile, Hawley, Hayes G. B. R., Hayes M., Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Johnson, Kelley, King, Lambert, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Thurston, Walden, Young and Mr. Speaker—60.

NOES—Messrs. Andrews, Biggs, Brown of Alpine and Amador, Carothers, De Haven, Duffy, Pinney, Gildea, Green, Inman, Koutz, Lewelling, Martin of Butte, Merritt, Miller of El Dorado, Newell, Power, Sammons, Waldron and Williams—17.

The question being on the suspension of the rules and placing the bill on its third reading, the motion prevailed.

Senate Bill No. 1 was read a third time

On its passage, the ayes and noes were demanded by Messrs. Duffy, De Haven and Carothers, and the bill passed, by the following vote :

AYES—Messrs. Andrews, Appling, Biggs, Blankenship, Brown of Alpine and Amador, Brown of Yuba, Coronel, Crigler, Doss, Duffy, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, Hawley, Hayes G. B. R., Hayes M., Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Inman, Johnson, Kelley, King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Scarce, Shores, Slicer, Stephens, Thomas, Thurston, Walden, Young and Mr. Speaker—66.

NOES—Messrs. Berry, Carothers, De Haven, Finney, Koutz, Lewelling, Newell, Power, Sammons, Shoemaker, Waldron and Williams—12.

Bill read by title.

At two o'clock P. M., on motion of Mr. Satterwhite, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, December 9th, 1869. }

House met pursuant to adjournment

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Leave of absence was granted Mr. Calderwood for one day

Mr. Biggs was granted leave to enter his protest against the passage of Senate Bill No. 1, as a violation of the rules governing this House.

Mr. Duffy was allowed to change his vote, on the passage of Senate Bill No. 1, from aye to no.

REPORTS OF SELECT COMMITTEES.

Mr. Gildea submitted the following joint report:

MR. SPEAKER: The special committee appointed to wait on the Governor and inform him of the organization of the Legislature, have discharged the duty assigned them, and report that his Excellency will send in his biennial message at half-past eleven o'clock to-day.

MORRILL,
FARLEY,
TOMPKINS,
Senate Committee.

GILDEA,
BIGGS,
RYAN,
Assembly Committee.

On motion of Mr. Crigler, the report was received and adopted.
Mr. Henley of Sonoma made the following report:

MR SPEAKER: Your committee, appointed to examine and report upon the question of acceding to the request of the citizens of Sacramento to grant them the use of the Assembly Chamber for the purpose of holding a ball therein on the fifteenth instant, beg leave to report that after due examination they find that said request, if granted, would result in no serious detriment to the chamber, and respectfully recommend the passage of the resolution introduced in that behalf.

HENLEY of Sonoma, Chairman,
 HORAN,
 McMILLAN,
 DUFFY.
 BROWN of Yuba,
 ESCANDON.

Mr Satterwhite moved that the report be received, and the resolution previously offered in reference to the subject adopted.

On a division, the motion was adopted.

GOVERNOR'S MESSAGE

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 Sacramento, December 9th, 1869.

To the Assembly of the State of California:

I herewith transmit to your honorable body my first biennial message. The reports and documents accompanying it have been transmitted to the Senate, with a request that the Assembly be informed of their receipt.

H. H. HAIGHT,
 Governor.

The Clerk was proceeding to read the first biennial message of the Governor, when Mr. Walden moved to dispense with its further reading, and that the usual number of copies be printed.

Mr. Gildea moved to amend, by ordering ten thousand copies of the Governor's message printed.

Amendment adopted, and the motion as amended prevailed.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 December 8th, 1869.

GENTLEMEN OF THE SENATE AND ASSEMBLY:

The Constitution makes it the duty of the Executive to communicate to the Legislature, at each session, the condition of the State, and to recommend such matters as he may deem expedient.

Before proceeding to the discharge of this duty, allow me to congratulate you upon the general prosperity which has prevailed since the close of last session. The seasons have been propitious; crops have been abundant; labor has been well rewarded; agriculture, commerce and manufactures have flourished; facilities of travel and transportation have been increased, and there seems to be no drawback upon the satisfaction with which we may contemplate our progress during the past

two years. Within that time the great continental railroad has been pressed to completion, and furnishes a safe, comfortable and expeditious thoroughfare between California and the States east of the mountains. Its completion has occasioned heartfelt rejoicing throughout California, whose citizens for the past twenty years have suffered in every way by their isolation from the Atlantic States and Europe.

FINANCIAL CONDITION.

The accompanying reports of the Controller and Treasurer present a statement of the transactions of their offices during the nineteenth and twentieth fiscal years, and of the financial condition of the State on the first day of November, eighteen hundred and sixty-nine. The total funded debt of the State on the first day of December, eighteen hundred and sixty-seven, was stated by my predecessor at five million one hundred and twenty-six thousand five hundred dollars (\$5,126,500). The present funded debt is four million and sixty-eight thousand dollars (\$4,068,000). This is exclusive of outstanding warrants upon the Capitol Fund, more particularly referred to hereafter. Of this amount, nine hundred and sixty thousand five hundred dollars (\$960,500) of bonds are held by the State for School Fund.

The various classes of outstanding bonds which make up the funded debt will appear by reference to the Controller's report. The total receipts from all sources, during the fiscal year ending June thirtieth, eighteen hundred and sixty-nine, were two million nine hundred and sixty-one thousand seven hundred and sixty-six dollars and eighty-four cents (\$2,961,766 84). The total disbursements during the same year were two million nine hundred and fifteen thousand nine hundred and thirty-four dollars and one cent (\$2,915,934 01).

The reduction by the Legislature at its last session, of the rate of taxation for State purposes, from one dollar and thirteen cents (\$1 13) to ninety-seven (97) cents on each one hundred dollars of taxable property, afforded to the General Fund but twenty-two and one-half (22½) cents upon each one hundred dollars.

This rate would not have been so inadequate to furnish sufficient funds for the current expenditures of the State Government, but for the loss of about eighty thousand dollars (\$80,000) foreign miners' license tax, granted at the last session to the mining counties, and about thirty thousand dollars (\$30,000) lost to the revenue by a judicial decision adverse to the validity of the passenger stamp tax. Even had these two sources of revenue been retained, the increasing expenses of maintaining our public institutions would have rendered the rate of taxation for General Fund purposes too low. The rate recommended by the Controller is twenty-five and one-half cents for General Fund, which is doubtless the lowest rate needed for the next two fiscal years. It must be recollected that the extinguishment of our funded debt (which will occur within five years, at the present rate of redemption), and the completion of the State Capitol, will relieve the property of the State from fifty-seven and one-quarter (57¼) cents on each one hundred dollars, so that if the State had been out of debt and its public buildings completed, the rate of taxation last year would have been but thirty-nine and three-quarters (39¾) cents on each one hundred dollars, instead of ninety-seven (97) cents, and this includes eight (8) cents for interest on Central Pacific Railroad Bonds and eight (8) cents for School Fund, in addition to the military tax of one and a quarter (1¼) cents. The rate of taxation

for general purposes will probably not need to be increased beyond twenty-five and one-half (25½) cents, because, with a fair and equal valuation of property, the increase of the assessment roll, as the State progresses in wealth and population, ought to furnish a large enough increase in the amount of money needed for the general expenses of the State Government. In this connection I cannot refrain from urging an adherence to the policy of economy in expenditures and reduction of indebtedness, which is so clearly demanded by the people of the State. In every point of view it is desirable to lessen the burdens of taxation, and it is quite clear that this can only be done in those taxes levied to meet the interest and principal of the State debt. The current expenditures of the State Government must increase as the State advances in population; our admirable school system must be developed and maintained; an efficient militia system is indispensable as a security for the enforcement of the laws and the preservation of public order, and a large expenditure for public buildings, for prison, asylums and other purposes, is unavoidable; but by the payment of our public debt the rate of taxation can be reduced one-half, and still all these necessary objects can be provided for. Nothing more promotes the general prosperity or constitutes a stronger attraction to the immigration of a farming population than exemption from debt and light public burdens. Our financial and industrial future seems to be unclouded, if the policy heretofore pursued in this regard is wisely adhered to.

EQUALIZATION OF ASSESSMENTS.

The subject of equalizing assessments has occupied much public attention during the past two years. It is manifest that the constitutional requirement of uniformity and equality of taxation is a dead letter, so long as property is valued by the Assessor in one county at one-sixth or one-tenth of its value and in another county at one-half or two-thirds. Some remedies for this evil are suggested by the Controller, and among them is a constitutional amendment making the Assessor hold by appointment instead of election. The propriety of this is apparent. The Assessors should also be obliged to make a return, under oath, that they have used due diligence to ascertain the market value of the property assessed, by inquiry and comparison, and that they have valued it in the assessment roll at a certain proportion of its actual market value, say two-thirds, which would allow a deduction of one-third for fluctuation and depreciation.

I do not fully share the distrust which the Controller expresses, of the practicability and efficiency of a State Board of Equalization. It seems to me that the functions of such a Board might be so arranged as not to involve any large expenditure or complicated machinery. If it were only a Board of inquiry and supervision it would be valuable, but it might doubtless be clothed with useful power to enforce changes in valuations. It would occupy too much space to suggest the details of a law for this purpose, which would be in harmony with the constitution and at the same time be efficient. The subject is one of great importance and cannot be too earnestly commended to your attention.

SECRETARY OF STATE.

The report of the Secretary of State gives all needful information respecting the business of his office. The additional duty imposed upon him, in providing furniture for the new Capitol, had not been completed

at the date of his report, so as to present an exact statement of expenditures. This will be laid before you early in the session.

ATTORNEY-GENERAL.

The report of the Attorney-General will give you information respecting the civil and criminal business in his hands, and the litigations now pending.

The labors of this officer have been rendered more onerous and responsible during the past two years by the enactments of the last session, and the novel and perplexing questions constantly arising under conditions and legislation in many respects differing from those of older States

SURVEYOR-GENERAL.

The report of the Surveyor-General contains much statistical information in reference to the agricultural products of the State, the area of State lands sold, and the number of acres remaining unsold.

Our land system seems to be mainly framed to facilitate the acquisition of large bodies of land by capitalists and corporations, either as donations or at nominal prices. It is to be regretted that land granted by Congress to railroad corporations had not been subject to continued pre-emption by settlers, giving to the corporation the proceeds at some fixed price; and it would probably have been much better for the State and country if the public lands had never been disposed of, except to actual settlers under pre-emption laws, with the qualification last referred to, in the case of railroads. As it is, our system in California is in a confused, loose and unsatisfactory condition, productive of much difficulty and litigation. Numbers who purchased from the State, lands sold as swamp and overflowed, find their farms claimed under the railroad grants and themselves involved in expensive contests before Registers of Land Offices.

It is due to this meritorious class of citizens that the State should do everything in its power to protect them in their rights. It might be of service to ask Congress to pass an Act recognizing titles made by the State to lands sold as swamp and overflowed, and making the State sale conclusive as to the character of the land sold.

The survey and sale of the mineral lands is recommended by the Surveyor-General, and also the withdrawal of all the public lands from private entry and their sale to actual settlers only.

The subject of the reclamation of swamp and overflowed lands is also referred to by the Surveyor-General. It is currently stated that application will be made to the Legislature to provide some system of drainage, by means of a canal, for the purpose of reclaiming these lands. There is little doubt that a large area of these lands could be reclaimed by means of a canal, which would facilitate the discharge of the surface waters and the putting in crops earlier in the season. If any system of this nature is adopted, the cost of the work should be assessed upon the lands sought to be reclaimed, and the State ought not to be made a party to the expenditure, either as principal or guarantor. There is certainly no propriety in taxing the people of the coast and mountain counties to reclaim private property in the Sacramento Valley. These lands, if reclaimed, would be the richest in the State, and they should bear the cost of their own reclamation.

It is desirable that some legislation should be had to prevent the indiscriminate snaring and killing of small birds, which are so useful to

the farmer in the destruction of insects. Upon the continent of Europe extraordinary measures are being adopted to protect and propagate varieties of small birds, the slaughter of which has been going on in this State for some years, to the great detriment of agriculture.

The subject of protecting the different varieties of fish in our rivers and mountain lakes, and stocking these waters with new varieties, is also worthy of your attention. Many valuable varieties of fish from Eastern waters could be introduced and multiplied here at a small expense. This subject is exciting much interest in many of the States east of the mountains.

COMMON SCHOOLS.

An efficient system of common schools for the education of the children of the State is felt by all to be of primary importance. The constant improvement of our system will be apparent from the report of the Superintendent of Public Instruction, herewith transmitted, and cannot be otherwise than gratifying to all who realize the intimate connection that exists between popular education and free institutions.

No people can successfully work out the great problem of popular Government without a thorough system for the elementary instruction of all classes. This is well understood in this State, and there is no one of our public institutions more cherished by the people than our system of common schools, separated as it is alike from sectarian and partisan influence.

The Superintendent has devoted himself to the development of the system with commendable activity and zeal, during the past two years, and the progress made will be apparent from his report.

The whole number of children in the State between the ages of five and fifteen years is one hundred and twelve thousand seven hundred and forty-three (112,743), of which number one hundred and ten thousand six hundred and forty-two (110,642) are white, eight hundred and thirty-eight (838) negro, and one thousand two hundred and sixty-three (1,263) Indians under the guardianship of white persons.

The number under five years of age is fifty-seven thousand nine hundred and eighty-three (57,983), making the total number under fifteen years of age, one hundred and seventy thousand seven hundred and twenty-six (170,726), against one hundred and forty-nine thousand three hundred and six (149,306), two years ago.

The number in attendance at the public schools during the present year was sixty-seven thousand eight hundred and thirty-four (67,834); at private schools, sixteen thousand two hundred and seventy-three (16,273), and twenty-five thousand four hundred and sixty-four (25,464) have not attended any school. In eighteen hundred and sixty-seven, the number reported as in attendance upon the public schools was fifty-four thousand seven hundred and twenty-six (54,726); upon private schools, fourteen thousand and twenty-six (14,026), and upon no school, twenty-four thousand four hundred and eleven (24,411). The number of schools during the present year was one thousand three hundred and fifty-four (1,354), in which one thousand six hundred and eighty-seven (1,687) teachers were employed, of whom seven hundred and twenty-six (726) were male and nine hundred and sixty-one (961) female.

The number of schools reported in eighteen hundred and sixty-seven was one thousand and eighty-three (1,083) and of teachers, one thousand three hundred and eighty-nine (1,389), showing an increase since that year of two hundred and seventy-one (271) schools and two hundred and ninety-eight (298) teachers. The number of new school-houses built this

year and last is two hundred and fifty-nine (259), which, added to six hundred and sixteen (616), the number reported in eighteen hundred and sixty-seven, makes the total number of school-houses eight hundred and seventy-five (875), and the amount expended the present year is one million two hundred and ninety thousand four hundred and forty-four dollars and seventy-seven cents (\$1,290,444 77), against one million one hundred and sixty-three thousand three hundred and forty-eight dollars and eighty-one cents (\$1,163,348 81) in eighteen hundred and sixty-seven. These figures show constant progress, and give promise of more perfect development. The teachers of the State are believed to be, as a body, not inferior, in qualifications and devotion to their important work, to those of any of the older States.

As has already been stated, there are bonds to the amount of nine hundred and sixty thousand five hundred dollars (\$960,500) in the School Fund. The present rate of redemption will in a short time cancel a considerable portion of these bonds and leave in the School Fund a large amount of money not invested, and consequently drawing no interest, unless authority is conferred upon the Board of Examiners or some officer to invest these funds in Federal or other specified public securities. Some legislation should be had upon this subject at this session.

MILITIA.

The report of the Adjutant-General gives a statement of the present strength of the State military, and contains some suggestions for increasing its efficiency. The observations in the report as to the necessity of an efficient State militia are just.

As a security against disorder and a guaranty for the enforcement of the laws, its importance cannot well be over-estimated. The tax of one and a quarter cents will not furnish sufficient funds for the current expenses of the companies. The uniforms are worn out and need to be replaced, and the arms in use should be exchanged for those of modern pattern. The allowance for artillery companies is much too low. It is not reasonable to expect that patriotic citizens, who expend their time in this service, will also incur a heavy personal expense.

I concur in the opinion that a State Armory is indispensable for the proper care and preservation of arms and equipments. Much expense and loss have been incurred for the want of one heretofore.

Most of the companies at present in service are in a creditable state of discipline and efficiency, and a liberal policy in respect to allowances and exemptions ought to be adopted toward those who give so much of their time and efforts for the public benefit.

STATE PRISON.

At the last session of the Legislature a tax of three (3) cents upon each one hundred dollars of taxable property was levied, to provide funds for the erection of a suitable shop building, for the profitable employment of the labor of the convicts in the State Prison. The amount realized from this source was about fifty-eight thousand dollars (\$58,000), and, with this and other resources, the Directors have been able to erect and complete an excellent, substantial and commodious shop building, sixty feet wide by two hundred and fifty-four feet long, and four stories and a half in height, in every respect well adapted for the purpose, besides making some necessary repairs upon the other

buildings. Those who have examined the building pronounce it superior to any one used for a similar purpose in the Eastern prisons.

The discipline of the prison and the condition of the convicts have been undergoing steady improvement during the past two years. Within that period gambling by the convicts has been effectually prevented and a school established for the instruction of such as are disposed to make some effort to learn to read and write. The desire to learn manifested by a large number, and the progress made, have been gratifying. In this and other matters the Board and the prisoners are much indebted to the judicious and self-denying labors of Rev. Dr. W. T. Lucky and others, who have coöperated with the officers of the prison. The present Board have also introduced the system of advertising for bids for prison supplies, instead of purchasing them at private sale, and have found it to work satisfactorily.

A detailed statement of receipts and expenditures for the past two years will be found in the report of the Prison Directors, which may be delayed so as to include the month of November.

It has been the earnest endeavor of the Board of Directors to make the prison more reformatory in its character, and at the same time reduce the excess of expenditures over receipts so as to lessen the amount annually required for its support. Owing, however, to the confusion incident to the erection of a large building in the prison yard and the loss for nearly twelve months of shop room, together with the increase of prisoners, not much has been accomplished in the latter direction, beyond paving the way for better results in future.

The annual deficiency of earnings to meet expenditures for the past four years has been between seventy and eighty thousand dollars. This deficit will be materially reduced during the next two years by increased receipts from prison labor, and the Directors hope to be able within that time to bring it down to a sum not much beyond fifty thousand dollars. The prison, however, can never be what it should be, either in economy of management or in discipline and reformatory influence, until the present system is exchanged for one demonstrated by experience to answer the desired ends. The present system places the prison in the charge of officers subject to change every four years, with the Lieutenant-Governor as Warden. The second executive officer in the State, who is ex officio President of the Senate, has devolved upon him duties as widely distinct as can well be imagined. It is the unanimous opinion of the Board of Directors that the system should be radically changed; that the Lieutenant Governor should be relieved of the immediate charge of the prison, and the system known as the "Irish prison system," which is regarded as superior to any other, introduced, with some necessary modifications, under the supervision of a Board of Commissioners, composed of gentlemen who, from motives of philanthropy, would serve without other pay than their travelling expenses, and who should appoint a Warden to serve during good behavior. The Warden of a prison should, if possible, be a man with peculiar natural aptitude for the position, who holds by so fixed a tenure as to made the management of convicts and of the prison his permanent occupation.

The Irish system unites kindness with sufficient severity, substitutes confinement for corporal punishment, and establishes a system of marks and rewards for meritorious conduct, which results in many cases in permanent reform.

This system, as necessarily modified, requires two prisons—a primary one, with cells for solitary confinement, where prisoners are first confined

for a period of eight months (more or less, according to conduct), and a secondary one, with shop buildings arranged as at San Quentin.

It is the judgment of the Board of Directors that both of these prisons can be in all respects most advantageously located and managed at San Quentin, and that suitable cell buildings be constructed there. After much deliberation and investigation, it is the opinion of the Board that it is inexpedient to establish a branch prison elsewhere at present, and that the proper officer should be authorized to reconvey to the donors the tract of land at Folsom heretofore donated to the State for this purpose. I recommend, therefore, that provision be made for the appointment of a Board of Commissioners of five or more persons, who shall be charged with the supervision of the prison, the appointment of the Warden (the latter to serve during good behavior), one Commissioner to retire every other year, and the subordinate officers of the prison to be appointed by the Warden. The cell buildings heretofore constructed at San Quentin must be replaced by secure stone buildings, those built in eighteen hundred and sixty-six being unsuitable for the confinement of any except Chinese convicts, and not very secure even for those. It is a duty of humanity, as well as the dictate of interest, to do all in our power for the establishment of a humane and economical prison system, and this can best be accomplished by establishing the one above indicated, and erecting such cell buildings as are required to make that system efficient.

The controversy respecting the title to the prison grounds at San Quentin has been settled, as stated in the report of the Attorney-General. In the necessity and propriety of the settlement made, the Board of Directors unanimously concurred.

INSANE ASYLUM.

The reports of the Resident Physician and Directors of the Insane Asylum present a statement of the operations of that institution during the past year. It is melancholy to observe the great increase of patients in the Asylum, numbering now nine hundred and twenty (920) against eight hundred and fifty-three, two years ago. This increase was larger than was anticipated at the last session, when the appropriation was made for its support, and has aided to swell the deficiency in the amount then allowed. Another cause, however, for this deficiency, is found in the fact that the estimates were predicated upon the removal of two hundred (200) incurable insane patients, as provided in a bill which passed both houses, but which upon examination presented such cogent objections, on the score both of economy and humanity, that I felt compelled to withhold my approval. The result was to leave in the Stockton Asylum two hundred (200) patients more than were estimated for. The Board of Directors have managed its affairs with prudence and fidelity, and the deficiency in the amount received, to meet expenditures, was unavoidable. The amount of the appropriation for the support of the Asylum, made at the last session, was also practically reduced twelve thousand dollars (\$12,000), by making the salaries of the Resident and Assistant Physician payable out of the amount appropriated for support of the Asylum, instead of making them payable out of the General Fund. In order to provide means for the payment of the salaries of the employees, and to enable the Directors to purchase supplies at cash prices, application was made by them, with my concurrence, to the officers of the Bank of California, for a loan of thirty thousand dollars (\$30,000),

which amount was advanced by the bank and is repayable with interest. I desire to express my sense of the courtesy and public spirit which led the officers of the bank to accede to the request for this loan, and ask the Legislature to place the Directors in funds by a deficiency bill, so that it may be repaid at the earliest moment. The reports referred to are commended to the careful perusal of the Legislature. The support of the insane of the State constitutes a heavy tax upon its revenues, but is a duty the proper discharge of which is dictated by every generous and humane impulse.

I desire to bear testimony to the admirable manner in which the responsible duties of Resident Physician and Assistant Physician have been discharged by the gentlemen who have for some years past acted in that capacity. The institution has been so conducted, notwithstanding the embarrassments incident to its crowded condition and inadequate accommodations, as to reflect credit upon the physicians in charge, and has won merited eulogiums from those who have visited it. The manner in which the unexpected increase of patients has been, and is, provided for, will appear from the report of the Resident Physician, in whose suggestions I concur.

Under the system now in force, the Directors of the Asylum are chosen half at each biennial session, by a joint convention of the two houses. These occasions are always likely to be employed by persons desirous of obtaining the positions of Resident and Assistant Physician at the Asylum, to urge the claims of Directors friendly to their aspirations, and hence there have been numerous severely contested struggles for these positions, and frequent changes in the Superintendency of the Asylum, which, if repeated in future, cannot but work injury to the patients and reflect discredit upon the State. To make nine hundred (900) unfortunate beings of both sexes, who are deprived of their reason, subjects for political struggles or personal advancement, is so repugnant to every sentiment of humanity, that any system which invites such results or renders them possible is discreditable to our civilization. It is a manifest duty to abolish such a system and to substitute one which will give that permanency to the Superintendency of the Asylum which is essential. Changes in this office are prejudicial, even when there is a perfect equality in fitness, ability and experience. The insane become familiar with the features and voice of the physician, and are not favorably affected by the substitution of a stranger, and where the number of inmates is so large, it requires a long time for the Superintendent to become familiar with the peculiarities of different patients. I therefore urgently recommend the repeal of the present mode of selecting Directors, and the passage of a law providing for the appointment of a Board of eight or ten Directors, one to retire each year, who shall be charged with the duties exercised by the Board as at present constituted, with such modifications as may be expedient. The Directors, under the proposed law, might select such Resident and Assistant Physicians as are required, and have power to make removals for cause only, leaving to the Resident Physician the power of employing and discharging subordinates. In making this recommendation, it is discharging a simple duty to the helpless and afflicted wrecks of humanity who are suffering under this terrible visitation. No humane man can fail to have his sympathies painfully wrought upon by the spectacle of nine hundred of his fellow beings of both sexes enduring this living death, nor can he be indifferent to any measures designed to alleviate their affliction and restore them to their friends and to society. I have thought that it might also be of

service to provide for the appointment of a competent physician to visit the Eastern Insane Asylums and collect all accessible information as to their management in older communities. To gather and present in this way the experience of similar institutions elsewhere, would involve no large expenditure, and would doubtless aid in perfecting our own system.

DEAF AND DUMB AND BLIND ASYLUM.

The Commissioners appointed to superintend the construction of the building for a Deaf and Dumb and Blind Asylum, have finished the work assigned to them.

The cost of the land and building, thus far, is about one hundred and fifty thousand dollars, of which the sum of one hundred and fifteen thousand dollars was appropriated at the last and preceding sessions.

The edifice is admirably located, and is well arranged in every respect for the comfort and health of its inmates. Although the cost is greater than was anticipated, no one who inspects the building will regret the expenditure which has produced so imposing and beautiful a structure, dedicated by the State to this favorite charity.

The original design called for chimneys of carved stone above the roof, but the earthquake of October, eighteen hundred and sixty-eight, which was severely felt at that point, threw over the chimneys and also one of the gables. It was considered judicious to replace the chimney tops with others of galvanized iron, and in the gables, wood was substituted for stone, to avoid any danger in future. These changes and some repairs involved an unavoidable expenditure of about nine thousand dollars.

The site is well chosen, in the immediate vicinity of the University grounds, and possesses similar advantages. The tract embraces one hundred and thirty acres, well supplied with water from a spring in the rear of the building, which furnishes about ten thousand gallons a day, from a height sufficient to supply the upper stories. The present number of pupils is seventy-three, and will be increased soon to at least one hundred.

To liquidate the present debt, caused by the necessity of repairs above referred to, and provide for heating apparatus, gas works, laying out the grounds and procuring sufficient furniture, etc., will require the sum of twenty-nine thousand dollars, in addition to the regular biennial appropriation. The items of this sum will appear from the report of the Principal and the Directors, which will be laid before you.

The management of the institution reflects great credit upon the Principal and those associated with him in this benevolent work.

I recommend the report of the Commissioners and Principal to your early and favorable consideration.

STATE UNIVERSITY.

In conformity with the Act of last session, providing for the organization of a State University, a Board of Regents was appointed soon after the session, who have proceeded to select a corps of professors and instructors, and to adopt measures for the erection of suitable buildings for the accommodation of the Faculty and students. The selections of instructors thus far made are judicious, and the Regents have manifested commendable interest and zeal in the success of their difficult and important trust. The site of the University is regarded as a very desirable one. It embraces two hundred acres of land, about three miles northeasterly

from Oakland, commanding a view of the bay and islands, and of the City of San Francisco and its vicinity. The grounds have been tastefully laid out and planted with trees and shrubbery, and are already attractive and beautiful. The number of students at present is about fifty (50), and the number of instructors is ten (10). The purchase of apparatus, the improvement of the grounds and the erection of buildings, with current expenses, will exhaust the sum realized from sales of tide lands, together with the funds in the State treasury transferred to the Board of Regents, leaving as the nucleus of an endowment the Agricultural College land grant and its proceeds. To realize the full benefit of this grant, it is desirable to have Congress modify it so as to permit its location, acre for acre, upon the even railroad sections and upon unsurveyed lands, and in subdivisions as small as forty acres. It is no more than just to make these modifications, because by means of College scrip issued to other States large bodies of the most desirable public lands here have been entered and are held by private individuals, thereby very much impairing the value of the grant to this State, unless it is modified as suggested. With these modifications (and such disposition of a portion of the proceeds of the tide lands as is recommended elsewhere) the University would be placed upon a firm basis, and would soon be an honor to the State. In this connection it is proper to acknowledge the disinterested liberality of the Trustees of the College of California, who, from an enlightened zeal for the cause of education, first donated to the State one hundred and sixty acres of the two hundred referred to, and then placed at the disposal of the State all the assets of the corporation which remain after payment of its liabilities. The liberality and public spirit of these gentlemen have very much facilitated the attainment of the objects had in view in organizing a University.

The report of the Board of Regents will be laid before you, giving a brief history of their operations thus far, with the names of the professors and instructors, the items of expenditure, rates of tuition, etc

GEOLOGICAL SURVEY.

By an Act passed in April, eighteen hundred and sixty-four, provision was made for the commencement of a thorough geological survey of the State, and a gentleman, whose qualifications for this duty were generally recognized, was selected to superintend and direct the work. The great value and utility of such a survey, if thoroughly performed, are universally admitted. In no State would its practical advantages be greater than in California.

Biennial appropriations were made for its prosecution, and its progress is shown in the report of the State Geologist, to which your attention is invited. At the last session, owing in part to some controversy as to the amount to be expended, the Legislature failed to provide means for the prosecution of the survey, but left in force the law under which the State Geologist was appointed and the survey commenced.

To leave a work of such importance to all the material interests of the State unfinished, would be to sacrifice most of the practical results of the expenditure thus far made, and defeat most of the benefits anticipated from its completion. It is thought by those best qualified to judge that the geographical maps alone, when published, will be worth the entire cost of the survey. It is poor economy to have such a work imperfectly performed; and while there are some portions of it, the practical utility of which is not so apparent as others, there are no parts destitute of practical as well as scientific value.

Among the educated men of this country there seems to be a unanimous verdict in favor, both of the manner in which the work has been prosecuted and of the qualifications of the State Geologist, for its thorough completion.

There has been some criticism upon the time and labor expended upon that portion of the work relating to paleontology, or the science which treats of fossil remains of plants and animals. The opinion seems to be entertained by some that this science has no practical bearing, and that the expenditure of money in its investigation tends only to satisfy the curiosity of antiquarians and scientists.

The study of this science, however, although at first sight it may seem useless and unpractical, is essential to a thorough understanding of geology, mineralogy, zoology and botany, by the exposition of which, in California, we seek for a more complete development of all the resources of the State.

I submit to the wisdom of the Legislature, that both the credit and the interests of the State are involved in the completion of the survey, and that it would not be wise, at its present stage of progress, either to discontinue it or to make a change in its management. One objection to a change, among others, is that no one can well assume an unfinished work of this character without retracing the steps already taken, and repeating over again work already done, at a great expenditure of time and money.

At the close of the last session, an indebtedness of eleven thousand and six hundred dollars (\$11,500) had been incurred in prosecuting the survey, which has since been increased by publications in progress. It is just and proper to make provision for the payment of the amount due the State Geologist for moneys advanced, and I recommend that a further appropriation be made for the continuance of the survey.

TIDE LANDS.

The Legislature at its last session wisely provided for the survey and sale of the State's interest in the tide and marsh lands in the City and County of San Francisco, under the supervision of a Board of Commissioners.

The execution of this duty by the gentlemen selected to carry out the measure has involved much labor and responsibility, and the results have been quite satisfactory. The first two sales realized the sum of eight thousand and thirteen thousand one hundred and eight dollars and seventy-four cents (\$813,108 74) gross proceeds, of which the sum of two thousand and thirteen thousand dollars (\$20,000) was appropriated for the University, and the balance of six thousand and thirteen thousand dollars (\$18,000) was paid over to the Board of Regents.

The benefits of the measure have been very great, in removing from legislation a subject of contention and corruption, and in securing to the State, from this source, funds urgently needed for the University and other purposes.

The operations of this commission in detail will appear from the full and able report herewith presented, and it affords me pleasure to testify to the fidelity and ability with which the duties of these officers have been discharged.

I know of no better disposition which could be made of a portion of the proceeds of these lands, than to provide a permanent endowment for the University, as it is uncertain how much will be realized from the Agricultural College grant.

I therefore suggest that one-fourth of all sums realized from the deferred payments due upon sales of these lands be appropriated to the Board of Regents, to be held and invested as a permanent fund, the income alone of which shall be devoted to the payment of salaries and the current expenses of the University. By this means tuition in the institution could be rendered practically free, and the State relieved from any annual expenditure for its support.

The portions of these lands not included in the first two sales will produce probably seven hundred and fifty thousand dollars (\$750,000). The powers of the Commissioners to compromise with adverse claims might be beneficially enlarged.

STATE HARBOR COMMISSION.

The construction of a sea-wall along the water front of San Francisco by the State Harbor Commission, has progressed in accordance with the plan heretofore adopted, as will appear by reference to the report of the Commissioners.

The receipts and disbursements of the Commission during the two years ending November third, eighteen hundred and sixty-nine, have been as follows:

| RECEIPTS. | |
|---|---------------|
| Rents and revenues of wharves..... | \$574,897 81 |
| Amount drawn by Commissioners from San Francisco Harbor Protection Fund, by Orders 4 to 25, inclusive.... | 516,667 " |
| State Wharf and Dock Fund, by Orders 30 to 53, inclusive | 147,666 " |
| Sale of safe..... | 300 " |
| California Dry Dock Company, amount paid..... | 4,414 " |
| Pacific Rolling Mill..... | 2,583 " |
| | \$1,246,529 " |
| DISBURSEMENTS. | |
| Urgent repairs..... | \$47,241 " |
| Cleaning wharves..... | 13,776 " |
| Dredging..... | 73,359 " |
| Expense account—rent, printing, etc..... | 6,056 51 |
| Current expenses, wharfingers..... | 46,652 01 |
| Legal counsel..... | 6,000 " |
| Additional furniture..... | 561 " |
| Salaries of Commissioners and secretaries..... | 25,175 " |
| Legal expenses..... | 146 " |
| Amount paid on sea-wall..... | 523,170 " |
| Construction of wharves..... | 74,329 " |
| Harbor Protection Fund—amount remitted State Treasurer..... | 398,725 61 |
| State Wharf and Dock Fund—amount remitted State Treasurer..... | 121,334 " |
| | \$1,246,529 " |

The report contains much valuable information, and some suggestions worthy of consideration. It would doubtless be judicious to authorize the Commissioners to purchase a dredging machine, as requested by them. The recommendation to abolish the office of Harbormaster will also probably be generally concurred in. Some interesting statements are made respecting experiments in preserving timber from the destructive attacks of the *teredo navalis*. These experiments, if successful, will be of great benefit to our shipping and commercial interests. Your attention is also called to the reasons presented by the Board against the reduction of rates for dockage and wharfage. It is the opinion of the Board that no reduction in these charges is practicable until the sea-wall is completed. Their reasoning seems to have force, and it may be that the rates of dockage and wharfage ought not to be disturbed. I have shared in the general impression that the port charges at San Francisco were too burdensome, and that the pilot charges and port charges generally ought to be very much reduced. I doubt not you will investigate the subject thoroughly, and arrive at a correct conclusion in reference to it.

The total length of the sea-wall authorized to be built is eight thousand three hundred and thirty-seven (8,337) feet, extending from Chestnut street to Harrison street. With the fulfilment of the present contracts there will be completed three thousand two hundred and fifty-two (3,252) feet of the stone embankment, extending from the south line of Pacific street to a point fifty-two and one-half ($52\frac{1}{2}$) feet northerly from Howard street. It is the opinion of the Board and of their engineer that this stone embankment will fulfil all the desired objects of the construction of a sea-wall, without an expensive superstructure.

The valuation of land granted to Dunphy and others is stated in the Commissioners' report at one hundred and fifty dollars (\$150) per acre. This valuation was so much below what I regarded as its actual value, that I thought it my duty to resist the issuance of the patent and seek to set the appraisal aside.

The Supreme Court held, however, that the valuation by the Commissioners was conclusive, and ordered the patent to issue.

STATE REFORM SCHOOL.

At the last session an Act was passed abolishing the State Reform School at Marysville, and providing for the transfer of the boys there to the Industrial School at San Francisco. The law was promptly complied with, and the building at Marysville has since remained unoccupied but has been taken care of by the Secretary of State, under the general authority and supervision exercised by him over State buildings.

It will be necessary for the Legislature to provide for the disposition of the property, as it will not be likely to be made use of by the State. It might be as well to donate the property to the County of Yuba, if it can be usefully employed by that county as an alms-house or for some similar purpose, because if sold it would realize a comparatively small sum, and it may be of some value to that county for public use.

The report of the Commissioners appointed to supervise the transfer of the boys in the State Reform School to the Industrial School in San Francisco is herewith transmitted.

STATE CAPITOL.

Since the last session the work upon the new Capitol has been pressed as rapidly as possible, with the hope of being able to get the building ready to be occupied during the present session. This result was regarded as very desirable, in order to secure the spacious and elegant legislative chambers for your use, instead of the rooms heretofore occupied, and to facilitate the transaction of the public business by collecting the Legislature, library and State officers in one building, in apartments commodious, well ventilated and in every way well suited for their various purposes. In the accomplishment of this, many and serious obstacles had to be overcome and some responsibility assumed. The embarrassment, however, of arresting the work and the loss which would thereby result, connected with the general anxiety to get the building ready for use at this session, the saving of rent and the inconvenience of having State officers and committee rooms located in different parts of the city, together with the advantage in point of health, of a session in chambers so commodious and well ventilated, determined the Board of Capitol Commissioners to press forward with the work; and no one probably, who witnesses the interior of the magnificent edifice in which your session is to be held, will regret the determination of the Board. This resolution, however, would have been of little avail without the faithful and unremitting labor of the architect and those who had charge of the different departments of the work. Circumstances also were favorable, in the safe arrival of the glass and other material which it was necessary to procure abroad.

The amount of warrants on the Capitol Fund outstanding on the first day of November, eighteen hundred and sixty-nine, was two hundred and seventy thousand eight hundred and seventy-nine dollars and ninety-three cents (\$270,879 93), which this year's taxes will reduce about one hundred and seventy thousand dollars (\$170,000); leaving the fund in debt about one hundred thousand dollars. This amount will be increased about fifty thousand dollars (\$50,000) besides the sum expended in furnishing the building, which latter will doubtless be provided by a special appropriation.

The tide land sales will probably furnish means, as suggested by the Controller, for the liquidation of the warrants outstanding, if a transfer to the Capitol Fund of the amount required is authorized.

The reports of the architect and Board of Capitol Commissioners give an estimate of the amount needed to complete the building in accordance with the plans. The estimate is three hundred and eighty-one thousand two hundred and eighty dollars (\$381,280), which would make the account stand thus:

| | |
|---|----------------|
| Amount expended prior to November 1, 1867..... | \$486,088 30 |
| Amount expended between Nov. 1, 1867, and Nov. 1, 1869..... | 580,008 74 |
| Estimate to complete..... | 381,280 00 |
| Total cost..... | \$1,447,377 04 |

The continuance of the Capitol tax for two years more will enable the work upon the building to be prosecuted and completed, by the aid of

such portion of the proceeds of the tide lands as will be needed to make up any deficiency in the amount raised by the Capitol tax.

The total cost of the edifice will probably exceed one million five hundred thousand dollars (\$1,500,000), and though the amount expended may seem extravagant for a State with the population and revenue of California, few will regret the expenditure in view of the solidity and beauty of the structure and its permanent adaptation to the public use.

REVISION OF STATUTES.

The Commissioners appointed at the last session to codify the statutes have not finished the labor assigned to them. Such progress as they have made will appear from the report submitted to the Legislature. It is exceedingly desirable to secure a thorough and careful revision of the general statutes of the State, and whatever additional legislation is necessary to secure this object ought to be had without delay.

SILK AND OTHER BOUNTIES.

By an Act passed April second, eighteen hundred and sixty-six, premiums were offered for the production of silk cocoons, and for plantations of mulberry trees. The phraseology of this law was so loose and unguarded, that it left the State treasury liable to be stripped of an indefinite amount of money, without any corresponding benefit whatever. An amendatory Act was passed March thirtieth, eighteen hundred and sixty-eight, the object of which was to prevent the threatened draft on the treasury, and fix some limit on the amount liable to be taken therefrom for the benefit of the persons engaged in raising mulberry trees. Under this Act and the Act of April, eighteen hundred and sixty-two, claims for premiums were required to be presented before a Board of five judges, consisting of the Governor, the President of the Mechanics' Institute and three Presidents of agricultural societies. At the last session of that Board, among other claims was one for fifteen thousand dollars (\$15,000) in favor of the Mission Woollen Mills, in San Francisco, which was allowed by a majority of the Board, and several claims for mulberry plantations. The latter were augmented in one case to the number of twenty-four and one-half ($24\frac{1}{2}$) premiums, amounting to six thousand one hundred and twenty-five dollars (\$6,125); and in another, to the number of fifteen and a half ($15\frac{1}{2}$), amounting to three thousand eight hundred and seventy-five dollars (\$3,875), by drawing imaginary lines through a plantation so as to inclose in each space five thousand (5,000) trees, and claiming a separate premium for each of these subdivisions of the plantation. The Board, by the votes of a majority, allowed these claims, but, at my request, the Attorney-General applied to the Supreme Court for a writ of certiorari, to review the proceedings of the Board, and, upon argument, the awards were set aside. The principle of paying premiums to any person for engaging in a particular occupation is sustained by somewhat the same reasoning which sanctions a protective tariff, and is equally vicious and indefensible; but aside from the principle involved in this class of laws, the claims in question were a manifest abuse. The enactments of eighteen hundred and sixty-two, eighteen hundred and sixty-six and eighteen hundred and sixty-eight are loose and unguarded in their provisions, and if any good could ever

arise from them it has been accomplished. The Act of eighteen hundred and sixty-eight will expire, by its terms, at about the close of this session, and I recommend the repeal of the Act of eighteen hundred and sixty-two, as there are a number of perplexing questions which might arise under it, to the great detriment of the public revenues, if adjudged against the State. In monarchies, where the people are kept in leading strings, and business is to some extent dictated and controlled by Government, the impropriety of offering premiums for establishing any particular business may not seem so apparent; but in this country, where the people are generally intelligent and well informed, and absolutely free to invest their labor and capital wherever it will be most remunerative, it is more in accordance with sound reason to leave the whole subject of agriculture, commerce and manufactures to be prosecuted in any form by each individual, in accordance with his judgment of the profits to be derived from his investment. When men's fortunes are involved, they will investigate more closely and judge more correctly than legislators can possibly do, and the policy of forcing capital out of one channel into another, either by protective duties or bounties, is rapidly meeting with general disfavor. Such artificial forcing produces no healthy growth, and is not within the legitimate province of Government. Besides, it degenerates almost always into combinations to plunder the treasury for private benefit. If Government will confine itself to its legitimate sphere in the protection of life and property, the business men of the country, whether farmers, merchants or manufacturers, will determine for themselves in what channels their labor and capital can best be employed, and to what subjects they can best be applied.

SAN MATEO TANNING COMPANY ACT.

At the last session of the Legislature a bill was passed to sell certain tide lands in the County of San Mateo to a corporation styled "The San Mateo Tanning and Manufacturing Company," at a price to be fixed by appraisement of three Commissioners. At the time of the passage of this bill the members of the Legislature were led to believe that the corporation contemplated the prosecution of the business of tanning leather, and desired a tract of tide land of about seventy-five (75) acres, to facilitate their business. The boundaries in the bill were somewhat indefinite, and it was approved mainly because it provided that the Commissioners were to be appointed by the Executive, and furnished, therefore, some security for a fair appraisement. After the close of the session, it appeared that the lands described in the bill embraced about six thousand (6,000) acres, extending from the southern line of San Francisco County several miles southward. The tanning company had no tannery, nor was it ever likely to have one, and it became evident that the land was sought to be obtained purely for private speculation. The Commissioners appointed under the provisions of the bill were Messrs. Lafayette Maynard Thomas H. Selby and William Corcoran, who proceeded to appraise the land described in the Act, and fixed the value at one thousand dollars (\$1,000) per acre, a price somewhat less than the average net proceeds of adjacent lands sold under the Tide Land Act of last session. This appraisal has been duly filed as the Act requires, and notice given to the officers of the company, who, as might be anticipated, have failed to pay the amount of the appraisement. I trust the Legislature will lose no time in repealing the Act in question, and thus protect the State against this attempted imposition.

If the Tide Land Commissioners appointed under the Farish bill were authorized to survey and sell the tract sought to be appropriated by this corporation, the proceeds, invested in State and Federal securities, would constitute a fund, the income of which would pay all the present deficiency in the expense of the Prison, and probably also support the Deaf and Dumb and Blind and Insane Asylums, and provide any additional amount, if any were needed, for the support of the University.

IMMIGRATION.

The importance of facilitating immigration from the Eastern States and Europe is felt by all who are interested in our material development. A moderate expenditure of money to establish agencies in New York and Baltimore and in Europe would probably be of service in directing immigrants to this coast, and securing additional means for their safe and speedy transit hither. Agents of this character could do much towards diffusing information as to the advantages offered by California, and making favorable arrangements with railway and steamship corporations.

We need population—not of races inferior in natural traits, pagan in religion, ignorant of free institutions, and incapable of sharing in them without putting the very existence of those institutions in peril—but we need immigrants of kindred races, who will constitute a congenial element and locate themselves and their families permanently upon the soil; who can be admitted to an equal share in our political privileges, and respond to all the obligations imposed upon citizens under a republican Government. One great need of California is a farming population from Germany and other European States, accustomed to the cultivation of the grape and other branches of agriculture, to which our climate and soil are so peculiarly adapted. We have millions of acres of public lands in the mountains and valleys, on the coast and in the interior, open to purchase and settlement at moderate prices, and a climate, as a whole, the most equable, genial and healthful on the globe. For certain branches of agriculture, especially the production of raw silk and the culture of the grape, no climate or country can possess more favorable conditions; but we need an agricultural population to develop our resources in this direction, and we also need an immigration of Eastern and European mechanics and laborers. It is a general desire that some measures not involving extravagant expenditure might be devised to facilitate this object.

The people of the State have so often and so emphatically expressed their hostility to the importation of Chinese laborers that their representatives will doubtless leave no legitimate means untried to execute the popular will in this respect. It is of vital importance, also, that the infamous business of importing Chinese females by the hundred, for the vilest purposes, should be arrested at once by stringent measures.

I do not propose to renew the discussion of the subject of Chinese immigration in an economic, moral or political aspect, because it is needless to discuss a question in reference to which public sentiment here is so nearly unanimous. The Legislature have power, without doubt, to make such provisions as will secure the people of the State against the stream of filth and prostitution that has been pouring in from Asia for the past twelve months, and at the same time secure the working people of the State against the importation of a class whose servile competition tends directly to cheapen and degrade labor.

While, however, the people of this State are with much unanimity opposed to the importation of Chinese, both male and female, they are not disposed to countenance any ill usage of Chinese, or of any other class within our borders. The exclusion of Mongolian testimony has been occasioned by the notorious fact that their testimony is so utterly unreliable as in many cases hardly to afford a basis for conjecture. Statements in direct conflict upon simple facts are constantly made by equal numbers upon opposite sides, in criminal prosecutions against Chinese defendants (where their testimony is admitted), with no perceptible choice on their part between truth and falsehood. Notwithstanding, however, the embarrassment which juries must often feel to distinguish truth from falsehood in the testimony of this class of persons, the whole policy of our legislation is to admit all testimony which might constitute an element in arriving at the truth, leaving the jury to judge of the weight to which it is entitled. In pursuance of this, criminals have been allowed to testify in their own behalf, and experience has satisfied jurists of the wisdom of this innovation. In addition to this reason for admitting Chinese to testify, it is true that crimes not only against them, but against white persons, sometimes go unpunished for lack of testimony, which, fortified by corroborating circumstances, would suffice to insure conviction and punishment.

My deliberate judgment is strongly in favor of the removal of all barriers to the testimony of any class or race, as a measure not simply of justice, but of sound policy.

CONSTITUTIONAL PROVISIONS AND AMENDMENTS.

The provision of the constitution prohibiting judicial officers from being absent from the State more than thirty days, has not been made effectual by appropriate legislation. It ought either to be enforced by statute, or, what would be better, amended by enlarging the time to ninety days. Circumstances often arise which require Judges to be absent more than thirty days, and such absence may involve no possible injury to the public; but the constitutional provision is inflexible, and suffers no excuse on the score of sickness, accident or other cause.

At the sixteenth and seventeenth sessions, the following amendment to the State constitution was proposed and adopted as an additional section to article one:

“SECTION 22. The Legislature shall have no power to make an appropriation of money for any purpose whatever for a longer period than two years.”

The only step remaining to give efficiency to this amendment is its approval by popular vote. The constitution, in section one of article ten, provides that after an amendment has been agreed to at two successive sessions by a majority of all the members elected to each house, it shall be submitted to the people “in such manner and at such time as the Legislature shall prescribe.” By an oversight, no provision was made for such submission at the last session, and it will devolve upon you to remedy this omission.

The proposed amendment to the Federal constitution known as the Fifteenth Amendment, adopted by Congress at its last session, will be transmitted to the Legislature at an early day, with such views and suggestions upon the subject as seem to me appropriate.

NATIONAL AFFAIRS.

The late election in this State resulted in the defeat of the political organization to which we owe the burdens of the protective system, inconvertible paper currency, styled by Mr. Webster "the greatest of political evils," military trials and the various attempts to override the Federal constitution, or change it so as to extinguish its original spirit, subvert the rights of the States and centralize unlimited power in the Federal Legislature.

The Pacific States, it is confidently believed, will be found a unit in favor of free trade, a specie currency, the exclusive right of each State to regulate its domestic concerns, and in steadfast opposition to all propositions to destroy the landmarks of the constitution and vest absolute authority in the Federal Congress.

The constitutional party is triumphant here, and its triumph throughout the Union will not be long delayed. It cannot, however, be promoted by any unworthy political expedient, by abandonment of principle, by any compromise with manifest error, or by giving any countenance to fraud or profligacy in legislation.

Absolute and unconditional free trade, a specie currency, the payment of the public debt in gold and silver, which alone is *money*, a strict construction of constitutional powers, local self-government, which is but another name for liberty, opposition to all centralizing tendencies and to all efforts to confer political power upon a servile and pagan population, a just regard for the welfare and interests of the industrial classes, and a pure administration of public affairs—these principles and this policy will alone deserve and command permanent success.

CONCLUSION.

In conclusion, I feel bound to testify to the fidelity, zeal and ability manifested by the State officers in their several departments during the past two years. The business of their offices has been transacted with a system, industry and efficiency that leave no room for criticism, and have made my relations with them very agreeable and satisfactory. It seems right and proper to bear testimony to the manner in which the public interests have been guarded by them, and the duties entrusted to them have been discharged.

I have thus endeavored to comply with the duty imposed upon the Executive by the constitution. It remains for you, as the representatives of the people, to give such weight to the recommendations made as in your judgment they may deserve. Upon you rests the responsibility of such measures as are designed to reform abuses, to husband wisely the public resources, to economise public expenditures, to lessen and equalize the burdens of taxation, and to give efficiency to all branches of the public service.

That you will watch with vigilance all attempts to sacrifice the public interests, that you will execute with fidelity the trust placed in your hands, and merit the confidence reposed in you by our common constituents, I have an abiding confidence.

With a grateful recognition of the goodness of Divine Providence, who has so abundantly blessed us during the past two years, and with a just sense of our accountability to Him and to our fellow citizens, let us address ourselves to our respective duties.

H. H. HAIGHT.

A P P E N D I X

TO

GOVERNOR'S MESSAGE

LIST OF PARDONS FROM STATE PRISON,

GRANTED BY GOVERNOR H. H. HAIGHT,

From December 5th, 1867, to November 1st, 1869.

| Date of sentence | Name of prisoner. | Crime. | County. | Term of sentence. |
|------------------|----------------------|---------------|-------------|-------------------|
| April, 1864..... | George McKenzie..... | Robbery | Amador..... | Seven years. |

DECISION.—Whereas, the said McKenzie was afterwards found to be entirely innocent, another party having been discovered to be guilty of the crime alleged to have been committed by him, this party being convicted of the same and sentenced to the State Prison therefor; and whereas, these facts having been laid before his Excellency Governor Low, the Governor issued his pardon to the said McKenzie, July third, eighteen hundred and sixty-six, but affixed as a condition thereto that the said McKenzie should leave the State prior to the tenth of August ensuing, never to return; and whereas, circumstances over which he could exercise no control prevented his compliance with the terms of pardon, and he was thereupon re-arrested, his pardon cancelled and himself re-committed to the State Prison; and whereas, it is entirely evident that the said George McKenzie is innocent of the crime charged against him—now, therefore, let him be pardoned and restored to citizenship. January thirteenth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|--------------------|-----------------------|---------------------|----------------|-------------------|
| January, 1863..... | Lewis G. Anderson.... | Murder in 2d degree | Siskiyou | Ten years. |

DECISION.—Whereas, a petition signed by E. Wadsworth, State Senator for Siskiyou, by A. M. Rosborough, County Judge, by the county officers and ex-officers, and by a large number of the most respectable citizens of said county, and also by several jurymen in the case, has been received, praying for the pardon of said Anderson; and whereas, special letters have been written in his behalf by Judge Dangerfield, before whom the case was tried, as well as by prominent citizens of Yreka; and whereas, the officers of the State Prison have testified to his good behavior during the time of his incarceration; and whereas, it is apparent that the person killed was struck by mistake, having been taken for another person who had grossly abused the said Anderson; and whereas, he has already served out half his term of sentence, and in the opinion of the said officers and petitioners has been sufficiently punished—now, therefore, let him be pardoned. January thirteenth, eighteen hundred and sixty-eight.

LIST OF PARDONS—Continued.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|-------------------|----------------------|------------------|-------------------|
| May, 1863..... | John Marr | Murder in 1st degree | Santa Clara..... | Life.* |

* Sentence commuted in eighteen hundred and sixty-three, from hanging to imprisonment for life.

Decision.—Whereas, a petition signed by many of the officers and ex-officers and by the County Judge, as well as by a large number of the most prominent citizens of said county, including the representatives in the Legislature from said county, has been received, praying for the pardon of the said Marr, and whereas, special letters have been written in his behalf by Judge Rhodes, of the Supreme Court; by Judge McKee, of the Third Judicial District Court, before whom the case was tried, and by Hon. C. T. Ryland, Speaker of the Assembly, and whereas, in the opinion of the above mentioned officers and petitioners, the jury committed an error in their verdict and should have acquitted the said Marr, from the fact of his acting in self-defence—now, therefore, let him be pardoned and restored to citizenship January seventeenth, eighteen hundred and sixty-eight.

| Date of sentence | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|-------------------|---------------------|--------------|-------------------|
| December, 1863... | Alonzo H. Dake... | Murder in 2d degree | Sacramento.. | Eleven years. |

Decision.—Whereas, in the pardon granted to said Dake by his Excellency Governor Low, an error was made which renders its legal validity doubtful, and whereas, it is desirable to repair the error committed in the former document, so as to accomplish the object intended—now, therefore, let him be pardoned and restored to citizenship. March seventh, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|---|---------------------|-----------------|-------------------|
| November, 1865... | Charles W. Garland, alias Wm. Speed. | Grand larceny | Los Angeles . . | Ten years |

Decision.—Whereas, a number of highly respectable citizens of Los Angeles County, among the number the Judge before whom the case was tried, as well as the county officers of Los Angeles County, have urged the pardon of the said Garland, upon the ground of the unprecedented severity of the term of sentence for the amount of property taken, and on the further ground of his youth, and his sick and destitute condition when the crime was committed, and whereas, special letters have been written in his behalf by prominent citizens of New Hampshire, setting forth the worth and respectability of the family of the said Garland—now, therefore, let him be pardoned, on condition that he leave the State, never to return. March twentieth, eighteen hundred and sixty-eight.

LIST OF PARDONS—Continued.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|---------------------|---------------------|----------------|-------------------|
| December, 1861... | S. D. Gatewood..... | Murder in 2d degree | San Mateo..... | Fifteen years. |

DECISION.—Whereas, the said Gatewood has been recommended for pardon by the Board of State Prison Directors in their report submitted to the Legislature on the thirtieth of March, eighteen hundred and sixty-eight, on the ground of his pardon being urged by the District Attorney, by the officers of the Court in which he was tried and by a large number of citizens of San Mateo County, and on the further ground of his conduct in the State Prison being good—now, therefore, let him be pardoned and restored to citizenship. April eighth, eighteen hundred and sixty-eight.

| Date of sentence | Name of prisoner. | Crime. | County. | Term of sentence. |
|---------------------|-------------------|---------------------|--------------|-------------------|
| October, 1858 | L. P. Stone | Murder in 2d degree | Nevada.. ... | Thirty years. |

DECISION.—Whereas, the said Stone has been recommended for pardon by the Board of State Prison Directors, in their report to the Legislature on the thirtieth day of March, eighteen hundred and sixty-eight, on the ground that he has been in prison ten years, that his conduct there has been good, and that many citizens of Sonoma and Nevada Counties petition for his pardon—now, therefore, let him be pardoned, on condition that he leave the State, never to return. April eighth, eighteen hundred and sixty-eight

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|-----------------------|-------------------|----------------|-------------------|
| December, 1862. . | Geo. A. Ruffner | Manslaughter.. .. | San Joaquin... | Ten years |

DECISION.—Whereas, the said Ruffner has been recommended for pardon by the Board of State Prison Directors, in their report submitted to the Legislature on the thirtieth day of March eighteen hundred and sixty-eight, on the ground of his pardon being urged by the Judge before whom the case was tried, by four of the jurors, and by many respectable citizens of San Joaquin County—now, therefore, let him be pardoned and restored to citizenship. April eighth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|-----------------------|--------------------|------------------|-------------------|
| November, 1866 .. | Margaret Hibbard..... | Grand larceny..... | San Francisco... | Two years. |

DECISION.—Whereas, the said Margaret Hibbard has been recommended for pardon by the Board of State Prison Directors, in their report submitted to the Legislature on the thirtieth day of March, eighteen hundred and sixty-eight, on the ground of chronic incurable illness, as certified by the visiting physician of the prison—now, therefore, let her be pardoned. April eighth, eighteen hundred and sixty-eight.

LIST OF PARDONS—Continued.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|---------------------------|--------------------|------------------|-------------------|
| November, 1867... | Alexander Griffiths. | Grand larceny..... | San Francisco... | One year. |

DECISION.—Whereas, the said Griffiths has been recommended for pardon by the Board of State Prison Directors, in their report submitted to the Legislature on the thirtieth of March, eighteen hundred and sixty-eight, on the ground of there being considerable doubt as to the guilt of the said Griffiths—now, therefore, let him be pardoned and restored to citizenship. April eighth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|-------------------|---------------------|-------------|-------------------|
| ..... | Warren Myers..... | Murder in 2d degree | Nevada..... | Ten years. |

DECISION.—Whereas, the said Myers has been recommended by the Board of State Prison Directors, in their report submitted to the Legislature on the thirtieth of March, eighteen hundred and sixty-eight, for pardon, on the ground of illness of a fatal character, as certified by the visiting physician of the Prison—now, therefore, let him be pardoned. April eighth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|----------------------|--------------------|-----------------|-------------------|
| November, 1866. | Benj. Carpenter..... | Grand larceny..... | Santa Cruz..... | Three years. |

DECISION.—Whereas, the said Carpenter has been recommended for pardon by the Board of State Prison Directors, in their report submitted to the Legislature on the thirtieth of March, eighteen hundred and sixty-eight, on the ground of intoxication, and when arrested was riding the stolen horse in the pasture in which he belonged, and on the further ground of his good conduct during his incarceration—now, therefore, let him be pardoned and restored to citizenship. April ninth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|---------------------|---------------------|---------------|-------------------|
| July, 1857..... | H. H. Stumberg..... | Murder in 2d degree | Tuolumne..... | Fifteen years. |

DECISION.—Whereas, the said Stumberg has been recommended for pardon by the Board of State Prison Directors, in their report submitted to the Legislature on the thirtieth of March, eighteen hundred and sixty-eight, on the ground that he has served eleven years, that his conduct has been good, and that he has made himself very useful in the prison hospital—now, therefore, let him be pardoned and restored to citizenship. April ninth, eighteen hundred and sixty-eight.

LIST OF PARDONS—Continued.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|------------------------|--------------------|----------------|-------------------|
| July, 1866..... | Francisco Sanchez..... | Grand larceny..... | San Mateo..... | Four years. |

DECISION.—Whereas, the said Sanchez has been recommended for pardon by the Board of State Prison Directors, in their report submitted to the Legislature on the thirtieth of March, eighteen hundred and sixty-eight, on the ground that the Judge who tried the case, the county officers and many citizens urge his pardon, and on the further ground that his conduct during incarceration has been good—now, therefore, let him be pardoned and restored to citizenship. April ninth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|------------------------|--------------------|------------------|-------------------|
| ..... | Morris Fitzgerald..... | Grand larceny.. .. | Sacramento | Two years..... |

DECISION.—Whereas, the said Fitzgerald has been recommended for pardon by the Board of State Prison Directors, in their report submitted to the Legislature on the thirtieth of March, eighteen hundred and sixty-eight, on the ground that he was intoxicated when the crime was committed, and on the further ground that he has served out over half his term and that his conduct has been good—now, therefore, let him be pardoned and restored to citizenship. April ninth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|-------------------|---------------|------------------|-------------------|
| July, 1865. | Moses Frank..... | Forgery. | San Francisco .. | Five years. |

DECISION.—Whereas, a petition, signed by a large number of prominent citizens of San Francisco, including the three District Judges, has been received, praying for the pardon of said Frank : and whereas, he has served nearly three-fourths of his term of imprisonment, and has dependent on him a large family—now, therefore, let him be pardoned, upon condition that he leave the State, never to return. April ninth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|--------------------|-------------------|--------------------|-----------------|--------------------|
| January, 1867..... | Harvey Lee | Grand larceny.. .. | Santa Clara.... | Two and a half yrs |

DECISION.—Whereas, the said Lee has been recommended for pardon by the Board of State Prison Directors, in their report submitted to the Legislature on the thirtieth day of March, eighteen hundred and sixty-eight, on the ground of his suffering with disease of the lungs—now, therefore, let him be pardoned and restored to citizenship. April ninth, eighteen hundred and sixty-eight.

LIST OF PARDONS—Continued.

| Date of sentence | Name of prisoner. | Crime. | County. | Term of sentence. |
|--------------------|-----------------------|---------------|--------------|-------------------|
| February, 1868 ... | James Faulkenberry .. | Robbery | Amador | Four years |

DECISION.—Whereas, the said Faulkenberry has been recommended for pardon by the Board of State Prison Directors, in their report submitted to the Legislature on the thirtieth day of March, eighteen hundred and sixty-eight—now, therefore, let him be pardoned and restored to citizenship. April ninth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|-------------------|---------------------|----------------|-------------------|
| —, 1859 | Ah Fong..... | Murder in 2d degree | Mariposa. | Twelve years. |

DECISION.—Whereas, it appears by the certificate of the visiting physician of the prison that the said Ah Fong is suffering so badly from consumption that there is imminent danger of his dying in prison—now, therefore, let him be pardoned. May first, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime | County. | Term of sentence. |
|-------------------|--------------------|------------|-------------|-------------------|
| —, 1856 | Thomas Rogers..... | Rape. | Nevada..... | Twenty-one years |

DECISION.—Whereas, the said Rogers is incurably crippled through injuries received at the prison, and is too helpless to work—now, therefore, let him be pardoned and restored to citizenship. May twentieth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|-----------------------|---------------|------------------|-------------------|
| August, 1864.... | James A. Shotwell. .. | Forgery | San Francisco... | Six years. |

DECISION.—Whereas, the said Shotwell was recommended for pardon by the Board of State Prison Directors, in their report submitted to the Legislature on the thirtieth of March, eighteen hundred and sixty-eight, and whereas, special requests have been made in his behalf by the officers of the prison, and also by the officers of the Bank of California, upon which the forgery was committed, on the ground that he has served out the greater portion of his term of sentence—now, therefore, let him be pardoned, upon condition that he leave the State within thirty days from date, never to return. June second, eighteen hundred and sixty-eight.

LIST OF PARDONS—Continued.

| Date of sentence | Name of prisoner. | Crime. | County. | Term of sentence |
|-----------------------|-------------------------|--------------------|-------------------|------------------|
| March, 1866 | Octavious Cora. | Manslaughter . . . | Alameda | Three years. |

DECISION.—Whereas, the said Cora was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature of March thirtieth, eighteen hundred and sixty-eight and whereas, the prison physician certifies that the said Cora is at the point of death from chronic bronchitis—now, therefore, let him be pardoned. June second, eighteen hundred and sixty-eight

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|--------------------------|---------------------|----------------|--------------------------|
| —, 1866 . . . | William Curren | Grand larceny . . . | Yuba | Four and one-half years. |

DECISION.—Whereas, it appears by the certificate of the visiting physician of the prison that the said Curren is dying of cancerous disease—now, therefore, let him be pardoned. July sixteenth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|----------------------|-------------------------|------------------------|------------------|-------------------|
| December, 1867 . . . | Andrew J. Millsap . . . | Manslaughter | Colusa | Four years. |

DECISION.—Whereas, a petition, signed by a large number of respectable citizens of Colusa County, including the county officers, has been laid before me, praying for the pardon of said Millsap, and whereas, it appears that the said Millsap committed the act while laboring under high excitement produced by the opprobrious epithets of his antagonist, who held at the same time a loaded shot-gun in his hand; and whereas, it is stated by the petitioners that the said Millsap had always borne a good character for honesty, sobriety and peaceableness of disposition—now, therefore, let him be pardoned and restored to citizenship. July thirty-first, eighteen hundred and sixty-eight.

| Date of sentence | Name of prisoner | Crime. | County. | Term of sentence |
|------------------|-------------------------|----------------------|---------------------|------------------|
| — 1861. . . | Victoriano Quinto . . . | Murder in 2d degree. | San Mateo | Life. |

DECISION.—Whereas, it appears by the certificate of the visiting physician of the prison that the said Quinto is the subject of incurable chronic disease, and is now dangerously ill—now, therefore, let him be pardoned. August first, eighteen hundred and sixty-eight.

LIST OF PARDONS—Continued.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|-----------------------|--|-------------|-------------------|
| July, 1868..... | Christobal Michado... | Branding with intent to steal a horse. | Tulare..... | Three years. |

DECISION.—Whereas, a petition has been received by me, signed by a large number of the most respectable people of Los Angeles and Tulare Counties, which petition asserts the innocence of the said Michado, and prays for his pardon; and whereas, there are facts which raise a strong presumption of his innocence; and whereas, it appears that his conduct has hitherto been exemplary—now, therefore, let him be pardoned and restored to citizenship. September ninth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|--------------------|-------------------|---------------------|------------------|-------------------|
| September, 1866... | Julius Brisk.... | Arson in 2d degree. | San Francisco .. | Three years. |

DECISION.—Whereas, a petition has been presented by many of the most respectable citizens of San Francisco, who allege facts tending to show his innocence, coupled with the facts that his term of sentence will expire in a few months, and that he has a large and dependent family—now, therefore, let him be pardoned and restored to citizenship. September fifteenth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|--------------------|-------------------|----------------------|-------------|-------------------|
| October, 1860..... | John B. Brown.... | Murder in 2d degree. | Tulare..... | Twenty years. |

DECISION.—Whereas, the District Judge before whom the cause was tried has made an urgent application for his pardon, on the ground that an excessive sentence was imposed through a misapprehension of facts, and a number of respectable citizens of Tulare County, including most of the county and judicial officers, have petitioned for his pardon, and he has already been in prison eight years, and his conduct has been uniformly good, and his character before the commission of the offence was exemplary—now, therefore, let him be pardoned. September sixteenth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|------------------------|--------------------|----------------|-------------------|
| — 1866..... | Annisito Arrillo | Grand larceny..... | San Mateo..... | Three years. |

DECISION.—Whereas, the Peruvian Consul, having investigated the facts of the case, and having officially certified upon such investigation that he was convinced of the innocence of the said Arrillo, has requested the interposition of Executive clemency in behalf of the said Arrillo—now, therefore, let him be pardoned and restored to citizenship. November sixth, eighteen hundred and sixty-eight.

LIST OF PARDONS—Continued.

| Date of sentence | Name of prisoner. | Crime. | County. | Term of sentence. |
|------------------|-------------------|----------------------|--------------|-------------------|
| — 1864..... | José Pizarro..... | Murder in 2d degree. | Alameda..... | Ten years. |

DECISION.—Whereas, it appears by the certificate of the physician of the prison that the said Pizarro is in imminent danger of dying from consumption—now, therefore, let him be pardoned. December fourth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|----------------------|---------------|--------------|-------------------|
| June, 1865..... | Isaac Tanksley | Robbery | Placer | Fourteen years. |

DECISION.—Whereas, the County Judge before whom said Tanksley was tried, and the District Attorney, have represented to me that the sentence of said Tanksley was disproportionate to the offence committed, and have requested his pardon, and the Attorney-General has concurred in such recommendation; and whereas, the physician at the prison has certified to me that said Tanksley is suffering from the tuberculous disease, and cannot survive in prison much longer; and whereas, it appears said Tanksley was enticed by the officers into committing the offence—now, therefore, let him be pardoned. February sixteenth, eighteen hundred and sixty-nine.

| Date of sentence | Name of prisoner. | Crime. | County. | Term of sentence. |
|--------------------|--------------------|----------------|------------------|-------------------|
| January, 1869..... | Henry Quanto | Burglary | San Francisco... | One year |

DECISION.—Whereas, the County Judge and District Attorney having both represented to me that the facts of the case render the said Quanto a fit subject for Executive clemency, that serious doubts exist as to any criminal intent on the part of said Quanto; and whereas, a petition was signed by all the members of the jury at the time of trial, praying for pardon, and it appearing that said Quanto is quite young and has previously borne a good character—now, therefore, let him be pardoned. February twenty-seventh, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|----------------------|----------------------|-----------------|-------------------|
| May, 1856..... | Samuel J. Hall. | Grand larceny.. | Sacramento..... | Twenty-one years. |

DECISION.—Whereas, the said Hall was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its seventeenth session; and whereas, the Judge that sentenced him has urgently solicited his pardon on the ground of the excessive severity of the sentence, and whereas, the said Hall is becoming advanced in years and is in failing health—now, therefore, let him be pardoned and restored to citizenship. March third, eighteen hundred and sixty-nine.

LIST OF PARDONS—Continued.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|--------------------|--------------------|------------------|-------------------------|
| May, 1868..... | Timothy Lynch..... | Grand larceny..... | San Francisco... | Two and one-half years. |

DECISION.—Whereas, it has been certified to me by the physician of the prison, that the said Lynch is lying at the point of death—now, therefore, let him be pardoned. April seventh, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|--------------------|----------------------|---------------------|-----------------|-------------------|
| September, 1868... | Luther Thompson..... | Grand larceny | San Francisco.. | Two years. |

DECISION.—Whereas, by the certificate of the physician of the prison, it has been made known to me that the said Thompson is in a dying condition—now, therefore, let him be pardoned. April fifteenth, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|------------------------|---------------|-----------------|-------------------|
| July, 1866..... | Dolores Castillo | Robbery | Los Angeles.... | Five years. |

DECISION.—Whereas, by the certificate of the physician of the prison, it has been made known to me that the said Castillo is in a dying condition—now, therefore, let him be pardoned. April seventeenth, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime | County. | Term of sentence. |
|-------------------|----------------------|---------------------|-----------------|-------------------|
| — 1857..... | Ezekiel Bullock..... | Murder in 2d degree | Sacramento..... | Fourteen years. |

DECISION.—Whereas, the District Judge before whom he was tried and the District Attorney who prosecuted him, together with the prosecuting witnesses and a number of the most respectable citizens of Sacramento County, have requested his pardon; and whereas, he has been in confinement for a period of about twelve years and his conduct has been uniformly good, and but little more than six months remain of his term of imprisonment—now, therefore, let him be pardoned and restored to citizenship. June fourteenth, eighteen hundred and sixty-nine.

LIST OF PARDONS—Continued.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|-------------------|---------------|----------------|-------------------|
| January, 1864.... | W. F. Holt..... | Robbery | Calaveras..... | Ten years. |

DECISION.—Whereas, the physician of the prison has certified to me that the said Holt is in imminent danger of dying from pulmonary consumption and that there is no prospect of his recovery—now, therefore, let him be pardoned. June fourteenth, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|---------------------|----------------------|-----------------|-------------------|
| May, 1867..... | Thomas Harmon. | Burglary | Sacramento. . . | Ten years. |

DECISION.—Whereas, the physician of the prison has certified to me that the said Harmon is in imminent danger of dying from pulmonary consumption, and that there is no prospect of recovery—now, therefore, let him be pardoned, with the condition, however, that if the said Harmon should be hereafter indicted for any criminal offence this pardon to be void. June fourteenth, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|--------------------|--|-----------------|-------------------|
| July, 1865..... | William Henry..... | Assault with intent to commit rape. | Sacramento..... | Fourteen years. |

DECISION.—Whereas, the said Henry was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its seventeenth session; and whereas, it appears there is some doubt as to his guilt, arising from his mental condition at the time of his alleged offence; and whereas, the conduct of the said Henry during his incarceration has been uniformly good—now, therefore, let him be pardoned, upon condition of his leaving the State of California, never to return, within ten days of the delivery of this pardon to him; in the event of his return, this pardon to be void. August nineteenth, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|---------------------|--|------------------|-------------------|
| September, 1867.. | William Harris..... | Assault with intent to commit murder. | Los Angeles..... | Four years. |

DECISION.—Whereas, the County Judge before whom the case was tried, the District Attorney who prosecuted the prisoner, and nine of the jurors, have petitioned for the pardon of the said Harris, on the ground of his youth and his previous exemplary conduct, and on the further grounds of there being grave doubts as to any guilt attaching to him; and whereas, about one-half of his term of imprisonment has expired—now, therefore, let him be pardoned and restored to citizenship. September fourth, eighteen hundred and sixty-nine.

LIST OF PARDONS—Continued

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|----------------------|---------------------------------------|-----------------|-------------------|
| September, 1867.. | Frank St. Clair..... | Assault with intent to commit murder. | Los Angeles.... | Four years. |

DECISION.—Whereas, the County Judge before whom the case was tried, the District Attorney who prosecuted the prisoner, and nine of the jurors, have petitioned for the pardon of the said St. Clair, on the ground of his youth and his previous exemplary conduct, and on the further grounds of there being grave doubts as to any guilt attaching to him; and whereas, about one-half of his term of imprisonment has expired—now, therefore, let him be pardoned and restored to citizenship. September fourth, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|--------------------|-----------------------|--------------|-----------------|-------------------|
| January, 1869 | William H. Geary..... | Forgery..... | San Joaquin.... | Three years. |

DECISION.—Whereas, a petition has been presented to me, signed by a large number of respectable citizens of San Joaquin County, representing that the amount of the forgery was trivial, and the prisoner is very young, and that this is his first offence; and whereas, the person whose name was forged solicits the pardon of said Geary, with the belief that such clemency may reclaim him and restore him to a respectable position in society—now, therefore, let him be pardoned and restored to citizenship. September eleventh, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|---------------------|--------------------|---------------|-------------------|
| July, 1865..... | James Lawrence..... | Grand larceny..... | Mariposa..... | Eight years. |

DECISION.—Whereas, the said Lawrence was recommended for Executive clemency by the Board of Prison Directors, at the last session of the Legislature, and said recommendation has been indorsed by several of the leading citizens of Mariposa County, and whereas, said Lawrence has conducted himself well in prison, and his previous character was good—now, therefore, let him be pardoned and restored to citizenship. September eleventh, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|--------------------|-------------------|--------------------|-----------------|--------------------|
| January, 1868 | Thomas Smith..... | Grand larceny..... | San Francisco.. | Two and a half yrs |

DECISION.—Whereas, the County Judge before whom the case was tried, and the District Attorney who prosecuted the prisoner, have recommended the pardon of the said Smith, on the ground of there being many mitigating circumstances in his case, and that, by inadvertance or misapprehension, his sentence was for a longer term than was intended—now, therefore, let him be pardoned and restored to citizenship. September eleventh, eighteen hundred and sixty-nine.

LIST OF PARDONS FROM STATE PRISON,

GRANTED BY ACTING GOVERNOR WILLIAM HOLDEN,

From September 13th, 1869, to October 29th, 1869.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|---------------------|------------------------|-----------------------|-----------------|-------------------|
| January, 1865 | James Fitz Morris..... | Assault to murder ... | San Francisco.. | Ten years. |

DECISION.—Whereas, the said Fitz Morris rendered valuable services to the officers of the prison at the time of the change of administration, and whereas, the pardon of the said Fitz Morris has been requested by a large number of most respectable citizens of San Francisco—now, therefore, let him be pardoned and restored to citizenship. September twenty-ninth, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|--------------------|----------------------|-------------|-------------------|
| April, 1869 | Josiah Faylor..... | Assault to murder... | Sonoma..... | One year. |

DECISION.—Whereas, the County Judge, the District Attorney, the county officers and eight of the jurors, have urgently solicited the pardon of the said Faylor, and whereas, there are grave doubts as to his guilt—now, therefore, let him be pardoned and restored to citizenship. September thirtieth, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|---------------------|-----------------------|------------|------------------|-------------------|
| January, 1865 | Phillip Phillips..... | Arson..... | San Francisco .. | Ten years. |

DECISION.—Whereas, numerous respectable citizens of San Francisco have urgently solicited the pardon of the said Phillips, on the ground of mitigating circumstances and excessive character of sentence, and whereas, he has served nearly one-half of his term of imprisonment, and his conduct in prison has been good; and whereas, it has been certified to me by responsible parties that he bore a good character previous to the commission of the alleged offence—now, therefore, let him be pardoned and restored to citizenship. October fourteenth, eighteen hundred and sixty-nine.

LIST OF PARDONS—Continued.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|--------------------|---------------------|-------------|--------------|-------------------|
| September, 1868... | Jno. W. Harden..... | Mayhem | Placer | Eleven years. |

DECISION.—Whereas, it appears from a close examination of the evidence that there was an entire absence of an intention on the part of the said Harden to commit the crime with which he was charged and that the mayhem was an accident, resulting from the very natural resistance on the part of Harden of an assault upon him by the party injured—now, therefore, let him be pardoned and restored to citizenship. October fifteenth, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|--------------------|------------------------|---------------------|-----------------|-------------------|
| September, 1863... | Pasqualina Larcare ... | Murder in 2d degree | San Francisco.. | Life. |

DECISION.—Whereas, a reasonable doubt exists as to the guilt of the said Larcare—now, therefore, let her be pardoned. October twenty-sixth, eighteen hundred and sixty-nine.

| Date of sentence | Name of prisoner. | Crime. | County. | Term of sentence. |
|--------------------|-------------------|-------------------|------------------|-------------------|
| September, 1868 .. | Michel Bodie..... | Manslaughter..... | Santa Clara..... | Five years. |

DECISION.—Whereas, a petition has been laid before me signed by the District Judge, District Attorney and six of the jurors, soliciting the pardon of the said Bodie, and whereas, letters have been received to the same effect from prominent citizens of Santa Clara County—now, therefore, let him be pardoned, with the express condition, however, that he leave the State never to return, within twenty days from date of this pardon. October twenty-sixth, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|-------------------|---------------------|-------------|-------------------|
| — 1863..... | Jno. Foran..... | Murder in 2d degree | Butte | Fifteen years. |

DECISION.—Whereas, the said Foran was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its seventeenth session; and whereas, his pardon has been urged by the Judge, the prosecuting attorney and his assistant, and also by a large number of prominent citizens of Butte County—now, therefore, let him be pardoned and restored to citizenship. October twenty-seventh, eighteen hundred and sixty-nine.

LIST OF PARDONS FROM COUNTY JAIL,

GRANTED BY GOVERNOR H. H. HAIGHT,

From December 5th, 1867, to November 1st, 1869.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|--------------------|--------------------|------------------|-------------------|
| December, 1867... | Robert Collis..... | Petit larceny..... | San Francisco... | Six months. |

DECISION.—Whereas, numerous respectable citizens of San Francisco have petitioned for the pardon of the said Collis, among the number the gentleman upon whom the theft was perpetrated, and whereas, Judge Riv, before whom the case was tried, has testified that owing to misinformation, the term of sentence was made twice as long as it should have been—now, therefore, let him be pardoned. March tenth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|----------------------|---------------------|------------------|---------------------------|
| December, 1868... | Nicolas Sanchez..... | Petit larceny | Santa Clara..... | Two years and two months. |

DECISION.—Whereas, Nicolas Sanchez is a prisoner confined in the common jail of Santa Clara County, upon six several convictions, upon charges of the crime of petit larceny committed within said county: and whereas, the several sentences, being cumulative, extend the period of the prisoner's confinement from December, eighteen hundred and sixty-eight, to February, eighteen hundred and seventy, and whereas, the county physician and other officers of the county have certified that the said Sanchez is so affected with tubercular disease of the lungs as to be beyond the hope of recovery—now, therefore, let him be pardoned. August fourth, eighteen hundred and sixty-nine.

COMMUTATIONS OF SENTENCE,

GRANTED BY GOVERNOR H. H. HAIGHT,

From December 5th, 1867, to November 1st, 1869.

| Date of sentence. | Name of prisoner. | Crime. | County. | Sentence. |
|-------------------|-------------------|----------------------|--------------|-----------|
| May, 1867..... | James Tivis..... | Murder in 1st degree | Colusa. | Death. |

DECISION.—A petition has been received, signed by the Sheriff, the County Judge, and by a large number of the most prominent citizens of said county, as well as by respectable citizens of the City of Marysville, praying for a commutation of sentence of the said Tivis; and whereas, the evidence given upon the trial, as shown by the statement furnished me by the Clerk of the Court, appears vague and unsatisfactory, and I can find nothing in it that proves the act to have been “wilful, deliberate and premeditated,” but, on the contrary, goes to show that the homicide was the result of sudden passion, which clearly makes the grade of the crime no higher than murder in the second degree—now, therefore, by virtue of the authority in me vested by the constitution and laws of this State, I, H. H. Haight, hereby commute the sentence of the said James Tivis to imprisonment in the State Prison for the term of thirty years, dating from the day of his entrance in the prison. January eighth, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner | Crime. | County. | Sentence. |
|-------------------|-----------------------|----------------------|--------------|-----------|
| June, 1867..... | Richard Thompson..... | Murder in 1st degree | Lassen. | Death. |

DECISION.—A petition has been received, signed by a large number of the people of Lassen County, praying for the commutation of said sentence, and the District Judge before whom the case was tried has, by letter, united in the request contained in said petition, and whereas, upon examination of the evidence, it appears doubtful whether the said Thompson is guilty of murder in the first degree, and whether the conviction should not have been for murder in the second degree—now, therefore, let his sentence be commuted to imprisonment in the State Prison for the term of his natural life. January sixth, eighteen hundred and sixty-nine.

| Date of sentence. | Name of prisoner. | Crime. | County. | Sentence. |
|--------------------|-----------------------|----------------------|----------------|-----------|
| September, 1868... | Francisco X. Bonilla. | Murder in 1st degree | Santa Barbara. | Death. |

DECISION.—Whereas, urgent intercessions have been made in behalf of the said Bonilla, for commutation to imprisonment in the State Prison, by the District Judge before whom the case was tried, and by the Mexican Consul: and in further consideration of the youth of the criminal, he being but eighteen years of age—now, therefore, let his sentence be commuted to imprisonment in the State Prison for the term of his natural life. January eighteenth, eighteen hundred and sixty-nine.

REPRIEVES OF SENTENCE,

GRANTED BY GOVERNOR H. H. HAIGHT,

From December 5th, 1867, to November 1st, 1868

| Date of sentence. | Name of prisoner. | Crime. | County. | Sentence. |
|-------------------|---------------------|----------------------|------------|-----------|
| December, 1866... | Timothy Cronin..... | Murder in 1st degree | Marin..... | Death.* |

* Sentenced to be executed April thurd, eighteen hundred and sixty-eight.

DECISION.—Whereas, prominent citizens of San Francisco have urgently solicited me to reprieve the said Cronin, in order that he may be enabled to make preparations for his approaching end—now, therefore, let him be reprieved until the eighth day of May, eighteen hundred and sixty-eight. April second, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Term of sentence. |
|-------------------|---------------------|--------------------|-------------|-------------------|
| December, 1867... | A. J. Millsap | Manslaughter... .. | Colusa..... | Four years. |

DECISION —Whereas, it is represented to me by a large number of respectable citizens of Colusa County, including the county officers and others, that there is sufficient reason for the exercise of Executive clemency in the case of A. J. Millsap, convicted of the crime of manslaughter—now, therefore, for the purpose of affording time to inquire into the facts and circumstances of the case, I do hereby reprieve said Millsap for the period of twenty days from this date, and direct that sentence be suspended during that period. July twenty-seventh, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Sentence. |
|-------------------|-----------------------|----------------------|----------------|-----------|
| September, 1868. | Francisco X. Bonilla. | Murder in 1st degree | Santa Barbara. | Death.* |

* Sentenced to be hanged November twenty-eighth, eighteen hundred and sixty eight.

DECISION.—Whereas, application has been made, by petition of a large number of respectable citizens of Los Angeles and Santa Barbara Counties, for commutation of the sentence of the said Bonilla—now, therefore, for the purpose of allowing time for an examination of the facts in the case, the said Bonilla is hereby reprieved until Friday, January eighth, eighteen hundred and sixty-nine. November twenty-fourth, eighteen hundred and sixty-eight.

REPRIEVES OF SENTENCES—Continued

| Date of sentence. | Name of prisoner. | Crime. | County. | Sentence. |
|-------------------|----------------------|----------------------|-------------|-----------|
| June, 1867..... | Richard Thompson.... | Murder in 1st degree | Lassen..... | Death. |

DECISION.—Whereas, at the June term, eighteen hundred and sixty-seven, of the Second Judicial District Court, held in and for the County of Lassen, Richard Thompson was convicted of the crime of murder, first degree, and was sentenced by said Court at its October term, eighteen hundred and sixty-eight, to be executed on the eighteenth day of December, eighteen hundred and sixty-eight—now, therefore, in order to allow time for an examination into the facts of the case, the said Thompson is hereby reprieved until Friday, the twenty-second day of January, eighteen hundred and sixty-nine. December first, eighteen hundred and sixty-eight.

| Date of sentence. | Name of prisoner. | Crime. | County. | Sentence. |
|--------------------|------------------------|----------------------|-----------------|-----------|
| September, 1868... | Francisco X. Bonilla . | Murder in 1st degree | Santa Barbara . | Death.* |

* Sentenced to be hanged November twenty-eighth, eighteen hundred and sixty-eight.

DECISION.—In the case of Francisco Xavier Bonilla, under sentence of death in Santa Barbara County, and whose execution has been heretofore postponed until the eighth day of January instant, an application for the commutation of his sentence having been made and declined, and an application having been made by Hon. José Godoy, Mexican Consul, for a respite until the twenty-second day of January instant, to enable the condemned to make such preparations for death as will be possible in the interim—now, therefore, at the intercession of said Consul, and in view of all the facts, I do hereby grant a further respite until said twenty-second day of January, eighteen hundred and sixty-nine, and direct that the execution of the sentence of the District Court of the First Judicial District, in the case of the People vs Francisco Xavier Bonilla, be postponed until Friday, the twenty-second day of January, eighteen hundred and sixty-nine, at which time it will be carried into effect unless otherwise ordered. January fourth, eighteen hundred and sixty-nine.

RESTORATIONS TO CITIZENSHIP

BY GOVERNOR H. H. HAIGHT.

From December 5th, 1867, to November 1st, 1869.

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

| Date of sentence. | Name of person restored. | Crime. | County. | Term of sentence. | When restored. |
|----------------------|--|-----------------------------|---------------------|---------------------------|-----------------------|
| October, 1862..... | Martin Carty..... | Assault to murder..... | Sacramento .. | Three years..... | December 6th, 1867. |
| November, 1865..... | Thomas A. Scott. | Arson in second degree..... | San Francisco .. | Two years..... | January 2d, 1868. |
| September, 1860..... | William Lodge..... | Robbery | San Francisco .. | One year | January 22d, 1868. |
| November, 1864..... | Morris J. Owen..... | Assault to murder..... | Nevada | Three years..... | February 3d, 1868. |
| August, 1865..... | Martin Anderson..... | Burglary..... | Nevada | Two years..... | March 16th, 1868. |
| September, 1864..... | Joseph Coffin..... | Grand larceny..... | Mendocino | Four years..... | May 1st, 1868. |
| November, 1866..... | John Anderson..... | Burglary | San Francisco .. | One and one-half years .. | May 20th, 1868. |
| October, 1863..... | Gustavus Barron..... | Grand larceny..... | Sutter..... | Two years..... | May 21st, 1868. |
| —, 1861..... | Morris Bernstein..... | Burglary..... | San Francisco .. | Two years..... | May 21st, 1868. |
| January, 1865..... | George Wardell..... | Burglary..... | San Francisco .. | Three years..... | June 20th, 1868. |
| May, 1864..... | Richard Widding..... | Grand larceny..... | Solano..... | One year..... | September 16th, 1868. |
| May, 1861..... | Joseph Harris..... | Burglary | San Francisco .. | Two years..... | September 25th, 1868. |
| November, 1865..... | John McDonnell..... | Grand larceny..... | Solano..... | One and one-half years .. | October 1st, 1868. |
| August, 1868..... | Angel Mora..... | Manslaughter..... | Los Angeles .. | One hundred days..... | November 30th, 1868. |
| March, 1868..... | William Farrell..... | Felony | Marin..... | One year..... | February 3d, 1869. |
| October, 1867..... | W. H. Piper..... | Robbery | San Bernardino..... | One and one-half years .. | February 3d, 1869. |
| May, 1867..... | Thomas Jones..... | Grand larceny..... | San Bernardino..... | Two years..... | March 3d, 1869. |
| September, 1865..... | Frank D. Briare..... | Robbery | Sacramento..... | Two years..... | March 6th, 1869. |
| May, 1859..... | — Maxfield..... | Burglary..... | San Francisco .. | Four years..... | April 5th, 1869. |
| June, 1856..... | { Isaac Adolph Norton, alias Adolph Newton.} | Highway robbery | Shasta..... | Ten years..... | July 17th, 1869. |
| July, 1856..... | { Thomas Boyne, alias Thomas Bowen.} | Grand larceny..... | San Francisco .. | One year..... | August 30th, 1869. |
| January, 1854..... | { Charles Mitchell, alias William Mickle.} | Highway robbery | San Francisco .. | Ten years..... | August 30th, 1869. |
| June, 1865..... | Isaac Tanksley | Robbery | Placer | Fourteen years | September 22d, 1869. |

MOTIONS AND RESOLUTIONS.

Mr. Gildea offered the following resolution :

Resolved, That a committee of three be appointed to see what claims the temporary officers and Pages have, and report the same to the House.

The Speaker appointed as such committee, Messrs. Murphy of Santa Clara, Rockwell and Gildea

Mr. Horan offered the following :

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

Mr. Biggs offered an amendment to change the number from six to three, and Mr. Berry an amendment to fix the number at five.

Lost.

The resolution was adopted.

Mr. Brown of Amador offered the following resolution :

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

Adopted.

Mr. Lambert offered the following :

Resolved, That Joseph Payne, of Yuba County, be and is hereby appointed Second Assistant Sergeant-at-Arms of the Assembly, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly.

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

Mr. Moynihan offered the following resolution :

Resolved, That the Chaplain of this House receive no per diem from the Contingent Fund ; and that free access be given to all the clergy of Sacramento.

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

Mr. Brown of Amador offered the following :

Resolved, That the Sergeant-at-Arms be requested and authorized to furnish postage stamps and express envelopes to each member of the Assembly and the Chief Clerk and his assistants, to the amount of twenty-five dollars.

Mr. Biggs moved to amend by inserting "ten dollars" in place of twenty-five dollars.

Lost.

Mr. Murphy of Santa Clara moved to amend by adding "in currency," after twenty-five dollars.

Lost.

Mr. King moved to amend by adding "payable out of the Contingent Fund of the Assembly."

Adopted.

The resolution, as amended, was then adopted.

Mr. Munday offered the following resolution :

Resolved, That the Chaplain of this House be allowed the sum of five dollars per diem, to be paid out of the Contingent Fund of the Assembly.

Adopted.

At twelve o'clock and ten minutes Mr. Horan moved to adjourn.

Lost.

Mr. Newell offered the following :

Resolved, That the Speaker be requested to appoint as Pages, boys who have no fathers living.

Adopted.

Mr. Eichelroth offered the following resolution :

Resolved, That the House, on each and every day, take a recess for one hour, from one o'clock until two o'clock P. M.

On motion of Mr. Brown of Amador, laid on the table.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER,
December 8th, 1869. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate on this day adopted the following concurrent resolution :

Resolved by the Senate, the Assembly concurring, That a joint committee of three from each House be appointed, to wait on his Excellency Governor H. H. Haight, and inform him of their organization and readiness to proceed with business.

In accordance with this resolution, the President of the Senate appointed Senators Morrill, Farley and Tompkins as such committee on the part of the Senate.

EDWARD CURTIS,
Assistant Clerk.

SENATE CHAMBER,
December 9th, 1869. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate on yesterday adopted the following concurrent resolution :

Resolved by the Senate, the Assembly concurring, That the Sergeant-at-Arms of each House be instructed to deliver to the State Librarian ten copies of all printed documents, bills and files of either House.

EDWARD CURTIS,
Assistant Clerk.

On motion of Mr. Lambert, the House concurred in the adoption of the above reported resolution.

SENATE CHAMBER,
December 9th, 1869. }

Mr. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following concurrent resolution:

Resolved by the Senate, the Assembly concurring, That the Secretary of the Senate and the Clerk of the Assembly be and they are hereby authorized and required to have the numbers and titles of the bills on the general file of the Senate and Assembly printed every day, and the Sergeants-at-Arms be required to have the usual number distributed on the desks each morning.

EDWARD CURTIS,
Assistant Clerk.

On motion of Mr. McMurry of Trinity, the House concurred in the adoption of the concurrent resolution above reported.

NOTICES.

Notices of the introduction of bills were given as follows:

By Mr. Munday—An Act to grant the right to construct and maintain a bridge and ferry across Russian River, and to open a public highway thereto.

By Mr. Geo. R. B. Hayes—An Act entitled an Act to create and establish a Board of Metropolitan Police Commissioners in and for the City and County of San Francisco.

By Mr. Rockwell—An Act to establish and maintain a police force for the protection and regulation of Asiatic and Mongolian residents of this State, and to prevent coolie slavery in California.

By Mr. Henley of Sonoma—An Act to create the Eighteenth Judicial District, to make certain alterations in the Sixth and Seventh Judicial District, and to fix the terms of Court in each of said districts.

By Mr. De Haven—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain moneys in the treasury of said county from one fund to another.

Also, an Act to provide for the payment of the debt of Humboldt County existing upon the thirty-first day of December, eighteen hundred and sixty-nine.

By Mr. Naphtaly—An Act to alter the judicial districts, and to create the Eighteenth Judicial District.

Also, an Act to amend an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, and the acts amendatory thereof.

By Mr. Blankenship—An Act to give grand and trial jurors mileage in the County of Monterey.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Ryan, on leave—An Act to amend an Act entitled an Act to organize and regulate the Justices' Courts in the City and County of

San Francisco, approved March twenty-sixth, eighteen hundred and sixty-six.

Read first and second times and ordered referred to Judiciary Committee, when appointed.

By Mr. Hayes, on leave—An Act to authorize a railroad in certain of the streets of the City and County of San Francisco, for grading purposes.

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

By Mr. Lambert, on leave—An Act to provide for a State Board of Equalization.

Read first and second times and ordered referred to the Committee on Ways and Means, when appointed.

At twelve o'clock and thirty minutes, on motion of Mr. Carothers, the House adjourned.

GEO. H. ROGERS,
Speaker

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, December 10th, 1869. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called

Quorum present.

Prayer by Rev. O. P. Fitzgerald.

Journal of yesterday read and approved

Indefinite leave of absence was granted to Mr. Miller of El Dorado, on account of sickness.

REPORTS OF STANDING COMMITTEES.

Mr. Murphy of Del Norte submitted the following report:

MR. SPEAKER: The Committee on Standing Rules beg leave to report and recommend the adoption of the rules governing the last session of the Legislature, with the following amendments:

First—That the Hospital Committee be increased from five to seven members.

Second—That the Committee on Claims be increased from five to seven members

Third—To create a Railroad Committee, to consist of seven members

All of which is respectfully submitted.

MURPHY, Chairman

On motion, the report was received and adopted.

STANDING RULES OF THE ASSEMBLY

MEETING.

1.

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

ORDER OF BUSINESS.

2.

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and approval of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports of Select Committees.
7. Messages from the Governor.
8. Motions and Resolutions
9. Messages from the Senate.
10. Notices.
11. Second Reading and Reference of Bills
12. Introduction and First Reading of Bills.
13. Business on General File, and Third Reading of Bills.
14. Unfinished Business of the Preceding Day.
15. Special Orders of the Day.

3.

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

4.

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

PETITIONS.

5.

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

BILLS.

6

Every bill shall be introduced by giving at least one day's notice, or by leave of two-thirds of the House, except such bill shall be introduced by a committee in accordance with a rule of the House.

7.

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

8.

General appropriation bills shall be in order in preference to any other bills, unless otherwise ordered by a majority of the House.

9.

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

10.

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

DUTIES OF SPEAKER.

11.

He shall take the Chair precisely at the hour appointed for meeting, shall immediately call the House to order, and, on the appearance of a quorum, shall cause the Journal of the preceding day to be read.

12

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

13.

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

14.

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

15.

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

SERGEANT-AT-ARMS AND DOORKEEPER.

16.

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

17.

The Sergeant-at-Arms shall receive for every arrest the sum of one dollar; for each day's custody and releasement, one dollar; and for travelling expenses for himself or a special messenger, going and coming, twenty-five cents per mile; but no compensation shall be allowed for the arrest, custody or releasement of members, under a call of the House, within the limits of the Capitol grounds. All fees accruing to the Sergeant-at-Arms for arrests, custody and release of members shall be paid by the members so arrested, held in custody and released, unless excused by a vote of the House. And when a member shall be excused by the House, the Sergeant-at-Arms shall not be allowed any fees for the arrest.

18.

The Doorkeeper shall be sworn to keep the secrets of the House.

19.

The Standing Committees of the House shall be as follows :

1. A Committee on Elections, to consist of seven members.
2. A Committee on Corporations, to consist of seven members.
3. A Committee on Public Printing, to consist of seven members.
4. A Committee on Claims, to consist of seven members.
5. A Committee on Ways and Means, to consist of nine members.
6. A Committee on Judiciary, to consist of eleven members.
7. A Committee on Military Affairs, to consist of five members.
8. A Committee on Counties and County Boundaries, to consist of seven members.
9. A Committee on Commerce and Navigation, to consist of five members.
10. A Committee on Education, to consist of five members.
11. A Committee on Agriculture, to consist of five members.
12. A Committee on Internal Improvements, to consist of five members.
13. A Committee on Public Buildings and Grounds, to consist of five members.
14. A Committee on Public Expenditures and Accounts, to consist of five members.

15. A Committee on Mines and Mining Interests, to consist of seven members.
16. A Committee on Public Lands, to consist of seven members.
17. A Committee on Federal Relations, to consist of seven members.
18. A Committee on Engrossment, to consist of five members.
19. A Committee on Enrolment, to consist of five members.
20. A Committee on State Prison, to consist of seven members.
21. A Committee on Mileage, to consist of five members.
22. A Committee on Public Morals, to consist of five members.
23. A Committee on State Hospitals, to consist of seven members.
24. A Committee on Indian Affairs, to consist of five members.
25. A Committee on Swamp and Overflowed Lands, to consist of eleven members.
26. A Committee on Roads and Highways, to consist of five members.
27. A Committee on the Culture and Improvement of the Grape Vine, to consist of seven members.
28. A Committee on State Library, to consist of three members.
29. A Committee on Agricultural, Mining and Mechanic Arts College, to consist of five members.
30. A Committee on Railroads, to consist of seven members.

20.

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

21.

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

22.

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

23.

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

24.

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

25.

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

26.

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

27

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

28.

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

29.

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

30.

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

31.

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

32

It shall be the duty of the Engrossing Committee to compare all bills

ordered or considered engrossed by this House, with the engrossed copies thereof; and before they pass out of the possession of the House, see that the engrossed bill is a true copy of the original, with the exception of correction in grammar, orthography and punctuation.

33.

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

34.

No committee shall be permitted to employ a clerk at the expense of the State, without first obtaining leave of the House for that purpose

35.

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

The Committee of the Whole House.

A Standing Committee.

A Select Committee.

36.

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

37.

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

38.

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

DECORUM AND DEBATE.

39.

If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every

such decision from the Chair shall be subject to an appeal to the House; but no discussion of a question of order shall be allowed unless an appeal be taken from the decision of the Chair

40.

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

41.

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

42.

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

43.

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

44.

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

MOTIONS, ETC

45.

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

46.

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

47.

When a question is under debate or before the House, no motion shall be received but: To adjourn; to lay on the table; for the previous question; to postpone to a day certain; to commit, or amend; to postpone indefinitely—which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate. And no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill or resolution shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection.

48.

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

49.

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

50.

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

51.

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

52.

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

53.

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

54.

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

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

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

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

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

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

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

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

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

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

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

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

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

CALL OF THE HOUSE

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

MISCELLANEOUS.

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

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

No persons, except Senators, State officers and ladies shall be admitted within the bar of the House, except by special invitation on the part of some member; but a majority may authorize the Speaker to have the House cleared of all such persons.

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

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

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

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

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

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

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

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

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

JOINT RULES OF THE SENATE AND ASSEMBLY.

1.

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

2.

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

3.

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

4.

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

5.

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

6.

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

7.

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

8.

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

9.

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

10.

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

11.

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

12.

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

13.

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

14.

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

15.

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

16

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

17.

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

18.

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

19.

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

20.

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

21.

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

Mr. Miller of Marin made the following report :

MR SPEAKER: The committee to whom was referred the subject of mileage due the members of the Assembly beg leave to make the following report :

| Names. | Miles. | Amount. |
|---------------------------------|--------|---------|
| Andrews..... | 370 | \$74 00 |
| Appling..... | 380 | 76 00 |
| Berry..... | 100 | 20 00 |
| Biggs..... | 166 | 33 20 |
| Blankenship..... | 510 | 102 00 |
| Brown of Alpine and Amador..... | 110 | 22 00 |
| Brown of Yuba..... | 160 | 32 00 |
| Calderwood..... | 134 | 26 80 |
| Carothers | 190 | 38 00 |
| Coronel..... | 1,100 | 220 00 |
| Crigler..... | 120 | 24 00 |
| De Haven..... | 780 | 156 00 |
| Doss..... | 720 | 144 00 |
| Duffy..... | | |
| Eichelroth..... | 230 | 46 00 |
| Escandon..... | 942 | 188 40 |

| Names. | Miles. | Amount. |
|--------------------------------------|--------|---------|
| Finney..... | 370 | 74 00 |
| Fortune..... | 234 | 46 80 |
| Freeman..... | 24 | 4 80 |
| Fryer..... | 1,260 | 252 00 |
| Gildea..... | 100 | 20 00 |
| Green..... | 200 | 40 00 |
| Griswold..... | 234 | 46 80 |
| Haile..... | 194 | 38 80 |
| Hawley..... | 136 | 27 20 |
| Hayes, G. R. B..... | 234 | 46 80 |
| Hayes, M..... | 234 | 46 80 |
| Henley of Mendocino..... | 550 | 110 00 |
| Henley of Sonoma..... | 260 | 52 00 |
| Hihn..... | 490 | 98 00 |
| Horan..... | | |
| Hubner..... | 90 | 18 00 |
| Hudson..... | 290 | 58 00 |
| Inman..... | 270 | 54 00 |
| Johnson..... | 304 | 60 80 |
| Kelley..... | 40 | 8 00 |
| King..... | 210 | 22 00 |
| Koutz..... | 220 | 44 00 |
| Lambert..... | 494 | 98 80 |
| Lewelling..... | 270 | 54 00 |
| Martin of Butte..... | 150 | 30 00 |
| Martin of Siskiyou..... | 732 | 146 40 |
| McClaskey..... | 136 | 27 20 |
| McMillan..... | 234 | 46 80 |
| McMurry of El Dorado..... | 132 | 26 40 |
| McMurry of Trinity..... | 510 | 102 00 |
| Merritt..... | 100 | 20 00 |
| Miller of El Dorado..... | 100 | 20 00 |
| Miller of Marin..... | 296 | 59 20 |
| Mooney..... | 600 | 120 00 |
| Moynihan..... | 234 | 46 80 |
| Munday..... | 260 | 52 00 |
| Murphy of Del Norte and Klamath..... | 930 | 186 00 |
| Murphy of Santa Clara..... | 300 | 60 00 |
| Naphtaly..... | 234 | 46 80 |
| Newell..... | 100 | 20 00 |
| Oates..... | 130 | 26 00 |
| O'Connell..... | 234 | 46 80 |
| Odell..... | 40 | 8 00 |
| Pool..... | 290 | 58 00 |
| Power..... | 142 | 28 40 |
| Robinson..... | 1,540 | 308 00 |
| Rockwell..... | 234 | 46 80 |
| Rogers..... | 234 | 46 80 |
| Romer..... | 234 | 46 80 |
| Ryan..... | 234 | 46 80 |
| Sammons..... | 220 | 44 00 |

| Names. | Miles. | Amount. |
|------------------|--------|---------|
| Satterwhite..... | 1,200 | 240 00 |
| Scarce | 240 | 48 00 |
| Shoemaker..... | 300 | 60 00 |
| Shores | 700 | 140 00 |
| Slicer..... | 170 | 34 00 |
| Stephens..... | | |
| Thomas | 360 | 72 00 |
| Thurston | 90 | 18 00 |
| Walden..... | 150 | 30 00 |
| Waldron..... | 70 | 14 00 |
| Williams..... | 180 | 36 00 |
| York..... | 230 | 46 00 |
| Young..... | 150 | 30 00 |

MILLER of Marin, Chairman,
MERRITT,
CORONEL,
SLICER,
YORK.

On motion, the number of miles against the name of Mr. Crigler was changed to two hundred and forty miles, and the amount of mileage to forty-eight dollars.

Mr. Doss moved to strike out "seven hundred and twenty miles" and "one hundred and forty dollars," and insert "eight hundred and sixteen miles" and "one hundred and sixty-three dollars and twenty cents."

Carried.

Mr. Gildea moved to recommit the report to the Committee on Mileage—which was lost, on a division.

On motion of Mr. Murphy of Del Norte, the report was received and the committee discharged.

Mr. Mooney moved to amend by striking out against his name "six hundred miles, with one hundred and twenty dollars," and insert "eight hundred miles, with one hundred and sixty dollars."

Adopted.

Mr. King moved to strike out "one hundred and thirty-six miles, and twenty-seven dollars and twenty cents," against the name of Mr. Hawley, and insert "two hundred and sixty-six miles and fifty-three dollars;" and for Mr. King, amend by changing to two hundred and sixty-six miles and fifty-three dollars mileage.

Carried.

The report, as amended, was then adopted

REPORTS OF SELECT COMMITTEES.

Mr. Murphy of Santa Clara made the following report :

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

| To whom due. | Amount. |
|---|---------|
| T. H. B. Anderson, Chaplain..... | \$40 00 |
| John A. Eagan, Chief Clerk | 110 80 |
| J. K. Luttrell, Sergeant-at-Arms..... | 196 00 |
| W. S. Byrne, Assistant Clerk | 110 80 |
| J. R. Beard, Assistant Clerk at desk..... | 110 80 |
| H. G. Sieberst, Journal Clerk..... | 110 00 |
| N. Benedict, Minute Clerk..... | 70 00 |
| W. S. Cooper, Copying Clerk..... | 70 00 |
| J. de la Guerra, Copying Clerk..... | 150 00 |
| J. G. Crandall, Copying Clerk..... | 94 00 |
| Joe Van Praag, Porter | 60 00 |
| W. G. Holt, Assistant Sergeant-at-Arms..... | 60 00 |
| S. W. Perry, Fireman | 28 00 |
| William G. Davis, Watchman..... | 68 00 |
| Henry J. Keefe, Post-office Page..... | 40 00 |
| — Van Arman..... | 32 00 |
| Samuel Marks, Page..... | 21 00 |
| John Kennedy, Page..... | 40 00 |
| Benjamin Dewes, Page..... | 40 00 |

And recommend the adoption of the following resolution :

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

| | |
|--|---------|
| T. H. B. Anderson, for the sum of..... | \$41 00 |
| John A. Eagan, for the sum of..... | 110 80 |
| William S. Byrne, for the sum of.... | 110 80 |
| J. K. Luttrell, for the sum of..... | 196 00 |
| J. R. Beard, for the sum of..... | 110 80 |
| H. G. Sieberst, for the sum of..... | 110 80 |
| N. Benedict, for the sum of..... | 70 00 |
| W. S. Cooper, for the sum of..... | 70 00 |
| J. de la Guerra, for the sum of..... | 150 00 |
| J. G. Crandall, for the sum of..... | 94 00 |
| Joseph Van Praag, for the sum of | 60 00 |
| W. G. Holt, for the sum of..... | 60 00 |
| S. W. Perry, for the sum of.... | 28 00 |
| William G. Davis, for the sum of..... | 68 00 |
| Henry J. Keefe, for the sum of. | 40 00 |
| — Van Arnam, for the sum of..... | 32 00 |
| Samuel Marks, for the sum of..... | 21 00 |
| John Kennedy, for the sum of..... | 40 00 |
| Benjamin Dewes, for the sum of..... | 40 00 |

MURPHY,
ROCKWELL,
GILDEA,
Committee.

Mr. Thomas moved that the report be received and the resolution adopted.

Mr. Biggs moved to amend by striking out Copying and Journal Clerks from the original resolution

Lost.

The motion of Mr. Thomas prevailed. The report was received and the resolution adopted.

Mr. Shoemaker had leave of absence granted him for the remainder of the day.

MOTIONS AND RESOLUTIONS.

Mr. Satterwhite offered the following resolution :

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

Adopted.

Mr. Henley of Mendocino offered the following :

Resolved. That Master Louis Berger be appointed Page of the Assembly.

On motion of Mr. McMurry of Trinity, laid on the table.

Mr. Haile offered a concurrent resolution in reference to instructing our Senators and Representatives in Congress to use all the means in their power, by the passage of laws or otherwise, to prevent the immigration of Chinese, Japanese and other inferior races.

Read first and second times and referred to the Committee on Federal Relations

On motion of Mr. Naphtaly, the resolution and amendments in reference to Pages was taken from the table.

The amendment offered by Mr. Mooney was adopted

Mr. Gildea moved to amend by inserting two Post-office Pages.

Carried.

Mr. King offered the following amendment: Strike out "one" and insert "four" Porters

Lost.

The resolution, amended as follows, was then adopted :

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

The Speaker appointed the following committees

ON JUDICIARY.

Messrs. Naphtaly, Henley of Sonoma, Lambert, Ryan, Martin of Butte, G. R. B. Hayes, Satterwhite, Murphy of Santa Clara, Brown of Amador, Horan, and Murphy of Del Norte.

ON EDUCATION.

Messrs. Slicer, Haile, Williams, Martin of Siskiyou, and Munday.

ON COUNTIES AND COUNTY BOUNDARIES

Messrs. Merritt, Mooney, Fryer, Koutz, Young, Appling and Hubner

ON AGRICULTURE, MINING AND MECHANICAL ARTS COLLEGE.

Messrs. Haile, Johnson, Hudson, Shoemaker and Odell.

ON STATE LIBRARY.

Messrs. Lambert, Murphy of Santa Clara and Brown of Yuba.

ON ROADS AND HIGHWAYS.

Messrs. Newell, M. Hayes, Green, Andrews and Kelley.

ON INDIAN AFFAIRS.

Messrs. Shores, Henley of Mendocino, Berry, Robinson and De Haven.

ON PUBLIC MORALS.

Messrs. Hubner, O'Connell, Young, McMillan and Eichelroth.

ON ENROLMENT.

Messrs. Ryan, Martin of Siskiyou, Brown of Yuba, Freeman and Lewelling.

ON ENGROSSMENT.

Messrs. Martin of Butte, G. R. B. Hayes, Johnson, Newell and Finney.

ON FEDERAL RELATIONS.

Messrs. Henley of Sonoma, Freeman, Waldron, King, and Miller of El Dorado.

ON PUBLIC BUILDINGS AND GROUNDS.

Messrs. Biggs, McClaskey, Duffy, Shoemaker, and Murphy of Del Norte.

ON INTERNAL IMPROVEMENT.

Messrs. Thomas, Odell, Hawley, Berry and Green.

ON PRINTING.

Messrs. Rockwell, Gildea, Crigler, Lewelling, Odell, York and Romer

Mr Hubner offered the following joint resolution :

Resolved by the Assembly, the Senate concurring, That on Wednesday next, at two o'clock p. m., both Houses meet in join convention to elect one Harbor Commissioner.

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

Mr. Naphtaly moved that the bill introduced by Mr. M. Hayes of San Francisco, entitled an Act to authorize a railroad in certain of the streets of the City and County of San Francisco for grading purposes, referred to the Committee on Corporations, be taken from the file and referred to the San Francisco delegation.

Mr. Blankenship moved to lay the motion on the table.

Lost.

The motion then prevailed, and the bill was so referred.

Mr. Horan offered the following :

Resolved, That P. O'Keefe be and he is hereby appointed Porter to the committee rooms of the Assembly, at four dollars per day.

Mr. Lambert offered the following amendment: "to be paid out of the Contingent Fund of the Assembly."

Accepted.

Mr. Waldron moved to lay on the table

Lost.

Mr. Brown of Amador moved to refer to a committee of three.

Lost.

The motion, as amended, was then adopted.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
December 9th, 1868. }

MR. SPEAKER: I am directed to inform your honorable body that the documents accompanying the Governor's message have been received by, and are now in possession of, the Senate.

ROBERTS,
Secretary.

NOTICES.

Notices of the introduction of bills were given as follows :

By Mr. Fortune—An Act to create the Thirteenth Election District in and for the City and County of San Francisco.

Also, an Act to prevent the influx of coolie immigration into the State of California.

Also, an Act to prevent the destruction of fish by powder, in the waters of the State of California.

Also, an Act entitled an Act to remit the tax on mortgages.

By Mr. Inman—An Act to create a State Board of Equalization, and to establish and define their duties.

By Mr. Haile—An Act to provide a uniform system of ballots at all the elections in this State, and to punish the violation of the same.

By Mr. Naphtaly—An Act to provide for increasing the law library,

of the corporation known as the San Francisco Law Library, and to secure the use of the same to the Courts held at San Francisco, the bar, the city and county government, and the people of the City and County of San Francisco.

By Mr. Griswold—An Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim of P. W. Vanwinkle.

By Mr. Lambert—An Act to repeal an Act fixing the number of officers and employes of the Senate and Assembly, to define their duties, and to establish their pay.

By Mr. De Haven—An Act to amend section four hundred and sixty of the Criminal Practice Act.

Also, an Act to amend sections sixty-five and sixty-eight of an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, an Act concerning roads and highways in Humboldt County.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Coroneel—An Act to fix the salary of the County Judge of Los Angeles County.

Read first and second times and referred to the Los Angeles delegation.

By Mr. M. Hayes—An Act for the relief of Patrick Campbell.

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

By Mr. Hihn—An Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county.

Read first and second times and referred to the Santa Cruz delegation.

Also, an Act amendatory of and supplementary to an Act to incorporate the Town of Santa Cruz, approved March thirty-one, eighteen hundred and sixty-six.

Read first and second times and referred to the Santa Cruz delegation.

By Mr. Blankenship—An Act to give to grand and trial jurors mileage in the County of Monterey.

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

By Mr. Henley of Sonoma—An Act to create the Eighteenth Judicial District, to make certain alterations in the Sixth and Seventh Judicial Districts, and to fix the terms of the Seventh and Eighteenth Judicial District Courts.

Read first and second times and referred to the delegation of the Sixth and Seventh Judicial Districts.

By Mr. Rockwell—An Act to establish and maintain a police force for the protection and regulation of Asiatic and Mongolian residents of this State, and to prevent coolie slavery in California.

Read first and second times, referred to a special committee of five and the usual number of copies ordered printed.

By Mr. Naphtaly—An Act to alter the judicial districts, and to create the Eighteenth Judicial District.

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

By Mr. Thurston—An Act for the relief of Greene T. Morton.

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

By Mr. Naphtaly—An Act to amend an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, and all Acts amendatory thereof.

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

By Mr. Satterwhite—An Act to provide for purchasing postage stamps and express envelops for members and officers of the Legislature.

Read first and second times and referred to the Committee on Accounts and Expenditures.

At one o'clock and twenty minutes P. M., on motion of Mr. Crigler, the House adjourned until one o'clock P. M. on Monday, December thirteenth, instant.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, December 13th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

Leave of absence was granted for one day to Mr. Ryan.

APPOINTMENTS.

The Speaker appointed the following committee on Assembly Bill No. 13—An Act to establish a police force for the protection and regulation of Asiatic and Mongolian residents in this State, and to prevent coolie slavery in California: Messrs. Rockwell, Inman, Freeman, Lambert and Escandon.

The Speaker made the following appointments:

Porters—John Leary and John Riley.

Watchmen—William Simpson and P. H. Luttrell.

Fireman—John O'Connell.

Pages—John Kennedy, B. Frank Hood, Daniel H. Bibb, Breckenridge Marks, Albert Willson and Charles Donohue.

Post-office Clerks—Marks Genchinskey and Isaac L. Miller

Paper Folder—Henry Kilgariff.

PETITIONS.

Mr. Rockwell presented a petition from unemployed laborers seeking employment in the Labor Exchange of San Francisco without success on account of the extreme low wages paid to Chinese laborers, and

praying that the Legislature adopt some measures for the total exclusion of the Chinese race from the State.

Received.

REPORT OF SELECT COMMITTEES.

Mr. Coronel made the following report:

MR. SPEAKER: The Los Angeles delegation, to whom was referred Assembly Bill No. 4—An Act to fix the salary of the County Judge of Los Angeles County—respectfully report the same back, and recommend its passage, with the following amendment: In section one, strike out the words "twenty-five hundred dollars," and insert the words "two thousand dollars."

CORONEL, for Delegation.

The bill was ordered on file.

MOTIONS AND RESOLUTIONS.

Mr. Stephens offered the following:

Resolved, That the Speaker be and is hereby authorized to appoint a Rear Porter for the Assembly.

Adopted.

Mr. Blankenship offered the following resolution:

Resolved, That E. L. Crawford be and he is hereby appointed Assistant at the Clerk's desk, at the same per diem as is allowed the Assistant Clerk, payable out of the Contingent Fund of the Assembly.

Mr. Naphtaly moved to amend by substituting the name of H. D. Gough for that of Crawford.

Mr. Martin of Butte moved to lay the resolution on the table.

Lost.

The amendment of Mr. Naphtaly was lost.

The original resolution was then adopted, and subsequently Mr. Crawford was sworn in as Assistant Clerk at the desk by the Speaker.

Mr. Murphy of Del Norte offered the following concurrent resolution:

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives be requested, to use their influence to procure an appropriation from the General Government to build a breakwater at Crescent City, Del Norte County, California, for the protection of shipping and the encouragement of commerce in the northern portion of the Pacific Coast.

Read first and second times and referred to the Committee on Commerce and Navigation.

Mr. Geo. R. B. Hayes offered the following resolution:

Resolved, That R. M. Clarken, Engrossing Clerk of the House during the seventeenth session, be and he is hereby allowed one week's pay and mileage for services rendered on the organization of this House.

Mr. Haile offered an amendment, as follows: "Also, that David F Beveridge, Enrolling Clerk of the last session, be allowed three days' pay and mileage, at the same per diem paid the officers of this House, payable out of the Contingent Fund of the Assembly."

Amendment accepted, and resolution adopted as amended.

The Speaker appointed John J. Wilkins as Rear Porter.

Mr. Rockwell offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That public documents and official reports be ordered printed, as follows :

| | | |
|--|-------|---------|
| Governor's message..... | 960 | Spanish |
| Controller's report..... | 2,400 | English |
| Controller's report..... | 960 | Spanish |
| Surveyor-General's report..... | 2,400 | English |
| Surveyor-General's report..... | 960 | Spanish |
| State Treasurer's report..... | 1,920 | English |
| State Treasurer's report..... | 240 | Spanish |
| Superintendent of Schools' report..... | 5,280 | English |
| Superintendent of Schools' report..... | 960 | Spanish |
| Adjutant-General's report..... | 1,920 | English |
| Secretary of State's report..... | 960 | English |
| Attorney-General's report..... | 960 | English |
| State Librarian's report..... | 960 | English |
| State Geologist's report..... | 2,400 | English |
| Regents of the University's report..... | 1,920 | English |
| Insane Asylum report..... | 3,120 | English |
| State Prison report | 4,320 | English |
| State Harbor Commissioners' report..... | 960 | English |
| State Capitol report..... | 480 | English |
| State Tide Land Commissioners' report..... | 1,920 | English |

Read first and second times and ordered on file.

Mr. Fortune offered the following joint resolution :

Resolved, If the Senate concur, that the Senate and Assembly proceed in joint convention to the election of a State Harbor Commissioner on the second Tuesday in January, eighteen hundred and seventy, at twelve o'clock, m.

On motion of Mr. Doss, laid on the table

Mr. Williams offered the following resolution :

Resolved, That the Sergeant-at-Arms be and is hereby authorized to purchase all necessary stationery for the members of the Assembly, and pay for the same out of the Contingent Fund of the Assembly

Adopted.

Mr Haile gave notice that on to-morrow he should move to reconsider the vote by which the above resolution passed.

Mr. Hubner offered the following resolution :

Resolved, That the Committee on Public Buildings be instructed to consult with the architect of the State Capitol and the State Capitol Commissioners, or any person of science, to ascertain if ways and means could be adopted and carried out, through which the sound of the person addressing the House could be better conveyed to the members of the House and its attachés. Said committee to report at the earliest possible time.

Adopted.

Referred to the Committee on Public Buildings and Grounds.

Mr. Carothers offered the following:

Resolved, That the Speaker be and is hereby authorized to appoint a committee of five to examine the different locations and sites proposed for the permanent location of the State Normal School.

Adopted.

The Speaker appointed as such committee: Messrs. Carothers, McMillan, Hawley, Thomas and Naphtaly.

Mr Gildea moved to take from the file the concurrent resolution offered by Mr. Rockwell in reference to the printing of public documents, and that the rules be suspended, the resolution be considered engrossed and placed upon its third reading.

Carried

Read the third time and passed, and ordered transmitted immediately to the Senate.

Mr. Scarce offered the following resolution:

Resolved, That B. A. Dewes be and is hereby appointed Porter of the committee rooms of the Assembly, at a per diem of four dollars per day, payable out of the Contingent Fund of the Assembly.

On motion of Mr. Blankenship, laid on the table.

NOTICES.

Notices of the introduction of bills were given as follows:

By Mr Naphtaly—An Act to regulate the practice of medicine in the State of California.

By Mr. Lambert—An Act entitled an Act for the relief of Thomas N. Long, Sheriff of Lassen County.

By Mr. Blankenship—An Act entitled an Act concerning public roads and highways in the County of Monterey.

Mr. Doss was granted leave of absence for one hour.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Horan—An Act amendatory of and supplementary to an Act entitled an Act relative to the office of District Attorney of the County of Sacramento, approved March sixteenth, eighteen hundred and sixty-four

Read first and second times and placed on file.

By Mr Kelley—An Act to repeal an Act entitled an Act concerning crimes and punishments

Read first and second times and referred to Committee on Public Morals.

By Mr. Robinson—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties.

Read first and second times and referred to Judiciary Committee.

By Mr. De Haven—An Act to provide for the payment of the debt of Humboldt County, existing upon the thirty-first day of December, eighteen hundred and sixty-nine

Read first and second times and placed on general file.

By Mr. Lambert—An Act to repeal an Act entitled an Act fixing the number of the officers and employes of the Senate and Assembly, to define their duties and establish their pay

Read first and second times and referred to the Judiciary Committee

By Mr. Naphtaly—An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library, and to secure the use of the same to the Courts held at San Francisco, the bar, the city and county government and the people of the City and County of San Francisco

Read first and second times and referred to the Judiciary Committee.

By Mr. Satterwhite—An Act to repeal an Act entitled an Act to protect sheep and Cashmere and Angora goats against the ravages of dogs, approved March thirteenth, eighteen hundred and sixty-six.

Read first and second times and referred to Committee on Agriculture.

By Mr. De Haven—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Judiciary Committee

By Mr. Henley of Mendocino—An Act to authorize Alexis Kustel and Oscar Kustel, and their assigns, to construct and maintain a chute at or near Fish Rock Landing, Mendocino County, and to charge and collect tolls for the use of the same.

Read first and second times and placed on general file.

By Mr. Moynihan—An Act to relieve the owners of encumbered real estate from double taxation.

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

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY

HOUSE OF ASSEMBLY,
Tuesday, December 14th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved

Leave of absence was granted to Messrs. Coronei, Escandon and M. Hayes for one day, and Mr. Koutz was excused for non-attendance on yesterday.

PETITIONS.

Mr. King presented a petition from residents of Sierra, Plumas and other counties, praying for the formation of a new county, to be formed out of the eastern portion of said counties.

Mr. King moved to refer the petition to the Committee on Counties and County Boundaries.

Lost.

Mr. Sammons moved to refer to the delegations from El Dorado, Placer, Nevada, Sierra, Plumas and Lassen.

Carried.

The petition was so referred.

The Speaker presented a petition from Peter Anderson, of San Francisco, asking the use of the Assembly Chamber on the evening of December fifteenth, or any subsequent evening, for the purpose of speaking on the subject of the proposed fifteenth amendment.

On motion of Mr. Naphtaly, laid on the table.

REPORTS OF STANDING COMMITTEES.

Mr. Biggs, from the Committee on Public Buildings and Grounds, verbally reported, that in conformity with a resolution adopted on yesterday, directing said committee to consult with certain parties in reference to the acoustics of this chamber, that the committee had as yet been unable to determine what could be done, and asked for further time.

Report received, and the request for further time in which to make a full report granted.

REPORTS OF SELECT COMMITTEES.

Mr. Blankenship made the following report :

MR. SPEAKER : The Monterey delegation, to whom was referred Assembly Bill No. 8—An Act to give to grand and trial jurors mileage in the County of Monterey—report the same back, and recommend its passage.

BLANKENSHIP,
For Delegation.

Report received.

Mr. Hihn made the following reports :

Mr. SPEAKER : The Santa Cruz delegation, to whom Assembly Bill No. 6 has been referred, respectfully report said bill back, with amendments therein specified, and recommend the passage of said bill with amendments.

The Santa Cruz delegation, to whom Assembly Bill No. 7 has been referred, respectfully report said bill back, with amendments thereafter specified, and recommend the passage of said bill with amendments.

HIHN, for Delegation.

Assembly Bills Nos. 6 and 7, above reported, were ordered on file.

MOTIONS AND RESOLUTIONS.

Mr. Brown of Amador offered the following resolution :

Resolved, That a committee of five be appointed for the purpose of considering and reporting upon the proper distribution and reference to committees of the various portions of the Governor's biennial message, according to the different subjects treated of therein.

Adopted.

Mr. McClaskey offered the following :

Resolved, That the architect have permission to enter the Assembly Hall during the session of the House, for the purpose of observation.

Mr Lambert moved to amend by adding "in regard to the acoustics of this chamber."

Amendment accepted and resolution adopted as amended.

Mr. Merritt offered the following resolution :

Resolved, That the Sergeant-at-Arms be and is hereby directed to replace the seats of the members of this chamber in the same manner and form as they were in the organization of this body, or in such other manner as may be satisfactory to those members who have been deprived of the seats originally selected by them.

On motion of Mr. Blankenship, laid on the table.

In accordance with previous notice, Mr. Haile moved to reconsider the vote by which a resolution was passed on yesterday, in reference to the Sergeant-at-Arms furnishing the Assembly with stationery.

On the motion to reconsider, the ayes and noes were demanded by Messrs. Brown of Amador, Haile and Satterwhite, and the motion prevailed, by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Carothers, Crigler, Finney, Fortune, Freeman, Gildea, Haile, Hayes G. R. B., Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Johnson, Kelley, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McMurphy of El Dorado, McMurphy of Trinity, Miller of Marin, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Robinson,

Romer, Ryan, Satterwhite, Scarce, Shores, Slicer, Stephens, Thomas and Thurston—44

NOES—Messrs. Appling, Brown of Alpine and Amador, Calderwood, De Haven, Doss, Duffy, Eichelroth, Fryer, Green, Griswold, Hawley, Henley of Mendocino, King, McClaskey, McMillan, Mooney, Murphy of Del Norte and Klamath, Odell, Pool, Power, Rockwell, Sammons, Walden, Waldron, Williams, York, Young and Mr. Speaker—28.

Mr. Fortune moved to refer to a special committee of three.

Mr. Brown of Amador moved to amend, by naming a committee of five.

Accepted.

Mr. Gildea moved to amend by instructing the committee to report to-morrow.

Adopted.

The resolution, as amended, was adopted.

The Speaker appointed the committee, as follows: Messrs. Fortune, Mooney, McClaskey, Ryan and Duffy.

Mr. Brown of Amador offered the following resolution :

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to employ one clerk, who shall be paid the same per diem allowed the Assistant Clerk of the Assembly, payable out of the Contingent Fund of the Assembly.

Adopted.

Mr. Rockwell offered the following :

Resolved, That a committee of five be appointed to consider as to the proper reference of the different portions of the codified laws now upon the desks of members.

On motion of Mr. Satterwhite, laid on the table.

Mr. Doss offered the following resolution :

Resolved, That the Assembly hall be and is hereby refused to any and all petitioners who desire to use said hall for other than legislative purposes, during the eighteenth session.

Mr. McMurphy of Trinity offered the following amendment: "With the exception of to-morrow night, the fifteenth instant."

Accepted.

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

Carried.

Mr. Naphtaly offered the following :

Resolved, That the Sergeant-at-Arms furnish the reporters of the press who hold seats in this House with all necessary stationery, with two copies of each bill or resolution which is ordered printed, and with copies of the general files.

Lost.

Mr. Biggs gave notice that on to-morrow he would move to reconsider the vote by which the House refused to adopt the above resolution.

Mr. Satterwhite offered the following resolution :

Resolved, That Master John Hardy be and he is hereby allowed eight days' pay, at the rate of four dollars per day, for services as acting Post-office Clerk to this House, payable out of the Contingent Fund of the Assembly.

Adopted.

Mr Walden offered a concurrent resolution, in reference to instructing our Senators and Representatives in Congress to endeavor to procure a mail route from Tuolumne City, Stanislaus County, to Fresno County.

Read first and second times and referred to the Stanislaus and Fresno delegations.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
December 14th, 1869. }

Mr. SPEAKER : I am directed to inform your honorable body that the Senate, on yesterday, adopted a concurrent resolution relative to the withdrawal of public lands

Also, passed Senate Bill No. 2—An Act to repeal an Act entitled an Act to prohibit the carrying of concealed weapons.

Also, passed, on yesterday, Senate Bill No. 13—An Act to authorize the Board of Supervisors of Mariposa County to levy an additional tax for county expenditures.

CURTIS,
Assistant Clerk.

Senate joint resolution, above reported, was read first and second times and referred to the Committee on Public Lands.

Senate Bill No. 2, above reported, was read first and second times and referred to the Committee on Public Morals.

Senate Bill No. 13, above reported, was read first and second times and referred to the delegation from Mariposa.

NOTICES.

Notices of the introduction of bills were given as follows :

By Mr. G. R. B. Hayes—An Act to repeal an Act entitled an Act to amend an Act entitled an Act to regulate the interest of money, passed March thirteenth, eighteen hundred and fifty, approved March thirtieth, eighteen hundred and sixty-eight.

By Mr. Romer—An Act donating to the San Francisco and North Pacific Railroad Company certain salt marsh and tide lands in the Counties of Marin and San Francisco.

By Mr. Haile—An Act to amend an Act entitled an Act to authorize Lyman Leslie, Paul K. Hubbs, and their associates, successors and assigns, to build and maintain a wharf at the City of Vallejo, in the County of Solano, approved March thirtieth, eighteen hundred and sixty-eight.

By Mr. Naphtaly—An Act regulating the preparation of medicinal prescriptions

By Mr. Lambert—An Act to create a bond law for the County of Lassen

SENATE MESSAGE.

On motion of Mr. Gildea, the following Senate message was taken up:

SENATE CHAMBER,
December 14th, 1869. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day adopted the Assembly concurrent resolutions relative to printing public documents and reports, with the following amendment: Amend by inserting after the word "in Spanish," at the end of seventh line, as follows: "and two thousand four hundred copies in German."

Also, this day adopted the following concurrent resolution:

Resolved by the Senate, the Assembly concurring, That four thousand copies of the report of the Resident Director of the State Prison be printed.

CURTIS,
Assistant Clerk.

Senate amendment to Assembly concurrent resolution, above reported, was concurred in.

Senate concurrent resolution, above reported, was read first and second times.

On motion of Mr. Rockwell, the rules were suspended and the resolution placed on its third reading.

Read a third time and passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Mooney—An Act to pay certain outstanding indebtedness of the County of Mono, incurred prior to the segregation of said county, by virtue of the Act approved March twenty-sixth, eighteen hundred and sixty-one, to ascertain and mark a portion of the eastern boundary of this State.

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

By Mr. Appling, on leave—An Act to empower Charles A. Yancy, guardian of Nanie Augusta Block and William Block, minors, to sell certain property herein named, belonging to said minors.

Read first and second times and referred to the Judiciary Committee.

By Mr. Lambert—An Act for the relief of Thomas N. Long, Sheriff of Lassen County.

Read first and second times and ordered on file.

By Mr. Griswold—An Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim of P. W. Van Winkle.

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

By Mr. Geo. R. B. Hayes—An Act to create and establish a Board of Metropolitan Police Commissioners in and for the City and County of San Francisco.

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

By Mr. Naphtaly—An Act to repeal an Act to authorize the sale and conveyance to the San Mateo Tanning and Manufacturing Company

certain overflowed land in the County of San Mateo, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands

By Mr. Crigler, on leave—An Act to repeal an Act entitled an Act to regulate salaries and fix the compensation of certain county officers, approved March twenty-eighth, eighteen hundred and sixty-eight, in so much as it applies to the Counties of Lake and Napa.

Read first and second times and referred to the delegation from Lake and Napa.

By Mr. Henley of Sonoma, on leave—An Act to extend the provisions of an Act entitled an Act concerning hogs running at large in certain counties in this State, approved April twenty-first, eighteen hundred and sixty-five.

Read first and second times and ordered on file.

By Mr. De Haven—An Act to authorize the Board of Supervisors of Humboldt County to transfer moneys from one fund to another, and to provide for the disposition of the same.

Read first and second times and ordered on file.

By Mr. Blankenship—An Act concerning public roads and highways in the County of Monterey.

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

GENERAL FILE.

Assembly Bill No. 4—An Act to fix the salary of the County Judge of Los Angeles County.

Amended and ordered engrossed.

Assembly Bill No. 15—An Act amendatory and supplemental to an Act entitled an Act relative to the office of District Attorney of the County of Sacramento, approved March sixteenth, eighteen hundred and sixty-four.

A motion to order the bill engrossed was lost.

Mr. Brown of Amador moved to order to general file, and accepted an amendment offered by Mr. Horan to refer to the Judiciary Committee.

Mr. Satterwhite moved to refer to a special committee of nine

The motion of Mr. Brown prevailed, and the bill was referred to the Judiciary Committee.

On motion of Mr. Lewelling, at one o'clock and twenty minutes P. M., the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
 Wednesday, December 15th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Naphtaly, Chairman of the Judiciary Committee, made the following reports :

Mr. SPEAKER: The Committee on Judiciary, to whom was referred Assembly Bill No. 20—An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library, and to secure the use of the same to the Courts held at San Francisco, the bar, the city and county government and the people of the City and County of San Francisco—respectfully report that they have had said bill under consideration, and recommend that it be referred to the delegation from San Francisco.

NAPHTALY, Chairman.

The bill was so referred.

Mr. SPEAKER: The Committee on Judiciary, to whom was referred Assembly Bill No. 19—An Act to repeal an Act entitled an Act fixing the number of the officers and employés of the Senate and Assembly, to define their duties and to establish their pay, approved May twentieth, eighteen hundred and sixty-one—respectfully report that they have had said bill under advisement, and report the same back and recommend its passage.

NAPHTALY, Chairman.

Mr. SPEAKER: The Committee on Judiciary, to whom was referred Assembly Bill No. 15—An Act amendatory of and supplemental to an Act entitled an Act relative to the office of District Attorney of the County of Sacramento, approved March sixteenth, eighteen hundred and sixty-three—respectfully report that they have had said bill under consideration, and recommend that it be referred to the Sacramento delegation.

NAPHTALY, Chairman.

The bill was so referred.

REPORT OF SELECT COMMITTEE.

Mr. Fortune, Chairman of the Special Committee on Stationery, verbally reported, and asked for further time to report in full.

Granted.

MOTIONS AND RESOLUTIONS.

Mr. Biggs, in accordance with previous notice, moved to reconsider the vote by which the House refused to adopt a resolution offered by Mr. Naphtaly on yesterday, as follows :

Resolved, That the Sergeant-at-Arms furnish the reporters of the press, who hold seats in the House, with all necessary stationery, with two copies of each bill or resolution which is ordered printed, and with two copies of the general file.

The motion to reconsider prevailed, and, on motion of Mr. Naphtaly, the resolution was adopted.

Mr. Murphy of Del Norte offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That B. W. Jenks, County Clerk elect of Klamath County, be and is hereby granted leave of absence from this State for the period of six months, at such time as he may select during his term of office.

Read first and second times and ordered on file.

Mr. Satterwhite offered the following resolution :

Resolved, That a special committee of nine be appointed by the Speaker, to whom shall be referred, without debate, all bills introduced concerning fees and salaries.

Mr. Hubner moved to amend by having the committee known as the Committee on Fees and Salaries.

Accepted.

The resolution was then adopted, as amended

Mr. Brown of Amador offered the following :

Resolved, That the Committee on Judiciary are hereby authorized and empowered to employ a clerk, at the per diem allowed by law.

Mr. Lambert moved to amend by adding "at a per diem of six dollars, payable out of the Contingent Fund of the Assembly."

Mr. G R B. Hayes moved to amend by making the per diem eight dollars.

Lost.

The resolution was then adopted, as amended.

Mr. Williams offered the following resolution :

Resolved, That W. C. Van Arnam be appointed Porter of the gallery of the Assembly, with a per diem of four dollars per day, payable out of the Contingent Fund of the Assembly.

On motion of Mr. Murphy of Del Norte, laid on the table

The Speaker appointed the following committees :

. ON FEES AND SALARIES.

Messrs. Hihn, Hawley, Duffy, Fortune, Miller of El Dorado, De Haven, Robinson, Walden and Carothers.

ON STATE PRISON.

Messrs. Crigler, Stephens, Thurston, McMillan, Martin of Siskiyou, Miller of Marin, and Henley of Mendocino.

ON CLAIMS.

Messrs. Horan, Mooney, Doss, Pool, Moynihan, Newell and Blankenship.

ON CORPORATIONS.

Messrs. King, Hihn, Griswold, Stephens, Moynihan, Walden and Gildea.

ON CULTURE AND IMPROVEMENT OF THE GRAPE.

Messrs. Hudson, Escandon, Miller of El Dorado, Coronel, Finney, Brown of Yuba, and Appling.

ON MILITARY AFFAIRS.

Messrs. G. R. B. Hayes, Coronel, Biggs, Munday and Inman.

ON COMMERCE AND NAVIGATION.

Messrs. Rockwell, Romer, Thurston, Stephens and Moynihan.

ON AGRICULTURE.

Messrs. Kelley, Scarce, Pool, Appling and Inman.

ON PUBLIC ACCOUNTS AND EXPENDITURES.

Messrs. Inman, Andrews, McMurry of El Dorado, Griswold, and McMurry of Trinity.

ON MINES AND MINING INTERESTS.

Messrs. Andrews, McMurry of Trinity, Mooney, Green, Power, Oates and McClaskey

ON PUBLIC LANDS.

Messrs. Satterwhite, Biggs, Hudson, Crigler, Henley of Mendocino, Walden and Hawley.

ON SWAMP AND OVERFLOWED LANDS.

Messrs. McClaskey, Kelley, Haile, Scarce, Doss, Thurston, Shores, Duffy, Berry, O'Connell and Oates.

ON STATE HOSPITALS.

Dr. Eichelroth, Dr. Carothers; Messrs. Thurston, Fryer, Thomas, Griswold and Doss.

ON WAYS AND MEANS.

Messrs. Lambert, M. Hayes, Hihn, Fortune, Thomas, Gildea, Freeman, Sammons and Merritt.

ON RAILROADS.

Messrs. Romer, Blankenship, Henley of Mendocino, Griswold, Kelley, Williams, and McMurry of El Dorado.

ON FEDERAL RELATIONS.

Messrs. Robinson and Fortune.

At twelve o'clock and forty-five minutes p. m., on motion of Mr. Horan, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, December 16th, 1869. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

[Mr. Haile in the Chair.]

Indefinite leave of absence was granted Mr. Inman.

Messrs. Romer and McMurry of El Dorado were granted leave of absence for three days, and Mr. M. Hayes, for two days.

REPORTS OF SELECT COMMITTEES.

Mr. Fortune, Chairman of the Select Committee on Stationery, made the following report :

MR. SPEAKER: The special committee appointed to inquire into the quantity, quality and cost of the stationery in the possession of the Secretary of State, beg leave to make the following report :

That we have made the necessary examination and find that the stationery in the office of the Secretary of State is, in our opinion, of a good quality ; and that, at the request of your committee, the Secretary of State furnished a schedule, which is hereto annexed.

And your committee would recommend, that when the supply of articles now in the possession of the Secretary of State, and required for

the use of this House, is exhausted, that the Sergeant-at-Arms be authorized to purchase any additional supply.

FORTUNE, Chairman,
MOONEY,
DUFFY,
McCLASKEY.

Mr. Gildea moved to dispense with the reading of the schedule furnished the committee by the Secretary of State.

Lost.

The schedule was read as follows :

SACRAMENTO, December 14th, 1869.

Hon. H. W. Fortune :

SIR : The prices of stationery, etc., purchased by me for the use of the Legislature, quantity, etc., are as follows :

| | |
|---|------------|
| 50 reams of legal cap paper, at \$6 00..... | \$300 00 |
| 12 reams of note paper, at \$4 50..... | 54 00 |
| 12 reams of letter paper, at \$5 50..... | 66 00 |
| 50 reams of letter paper, at \$4 25..... | 225 00 |
| 125 gross steel and copper pens, average at \$1 50..... | 187 50 |
| 60 reams of note paper, at \$3 50. | 210 00 |
| 12 gross lead pencils, at \$7 50 | 90 00 |
| 6 reams blotting paper, at \$25 00..... | 150 00 |
| 10 dozen steel erasers, at \$9 00..... | 90 00 |
| 20 thousand envelopes, at \$6 00..... | 120 00 |
| 1 dozen shears..... | 27 50 |
| 14 reams of yellow wrapping paper, at \$12 00..... | 168 00 |
| 17 reams transcript paper, at \$10 50..... | 178 50 |
| 12 thousand paper fasteners, at \$5 00 | 60 00 |
| 50 reams waste paper..... | 50 00 |
| 24 six-quire blank books, at \$1 25 per quire.. | 180 00 |
| 250 quire of blank books, at 62½ cents | 156 25 |
| 10 dozen ink, at \$9 00..... | 90 00 |
| 6 reams of manilla wrapping paper, at \$12 00..... | 72 00 |
| 10 dozen mucilage, large bottles..... | 100 00 |
| Total..... | \$2,574 75 |

The above named are the leading articles on hand. There is also a large stock of small articles, such as rulers, rubber bands, pen holders, eyelet punches and other articles too numerous to mention.

Respectfully yours,

H L. NICHOLS,
Secretary of State.

By A. J. NICHOLS, Clerk.

Mr. Martin of Butte moved that the report be received and the committee discharged.

Carried.

Mr. G. R. B. Hayes moved the adoption of the report.

Mr. Martin of Butte offered the following amendment :

“ Amend by striking out so much of said report as authorizes the Sergeant-at-Arms to supply stationery after the supply in the office of the Secretary of State shall be exhausted.”

Lost.

On the motion of Mr. Hayes to adopt the report, the ayes and noes were demanded by Messrs. Brown of Amador, Martin of Butte, and Thomas, and the report was adopted, by the following vote :

AYES—Messrs. Appling, Biggs, Blankenship, Brown of Yuba, Calderwood, Coronel, Crigler, De Haven, Doss, Duffy, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Hawley, Hayes G. R. B., Henley of Mendocino, Hihn, Horan, Hubner, Hudson, Kelley, King, Lambert, McClaskey, McMurry of El Dorado, Merritt, Moynihan, Munday, Murphy of Santa Clara, Newell, O'Connell, Odell, Pool, Power, Rockwell, Rogers, Ryan, Sammons, Satterwhite, Scarce, Stephens, Thurston, Walden, Waldron, Williams, York and Young—50.

NOES—Messrs. Andrews, Berry, Brown of Alpine and Amador, Carothers, Finney, Green, Griswold, Haile, Johnson, Koutz, Lewelling, Martin of Butte, Martin of Siskiyou, McMurry of Trinity, Miller of Marin, Murphy of Del Norte and Klamath, Naphtaly, Oates, Robinson, Shoemaker, Shores, Slicer and Thomas—23.

MOTIONS AND RESOLUTIONS.

Mr. Shores offered the following resolution :

Resolved, That the Engrossing and Enrolling Clerks be severally authorized to employ such assistants, from time to time, as in their judgments the necessities of the service may require, with the usual per diem allowed for such service, to be paid, as other officers of the Assembly, out of the Contingent Fund.

Mr. Martin of Butte moved to refer the resolution to the Engrossing and Enrolling Committees, respectively.

Lost.

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

Mr. McMurry of El Dorado offered the following :

Resolved, That the Clerk prepare a list of the standing committees, and that two hundred and forty copies of the same be printed with the rules and joint rules.

Mr. Hubner moved to amend by including the names of the different officers of the House.

Adopted.

The resolution was then adopted, as amended.

On motion of Mr. Merritt, the resolution in reference to replacing the seats of the Assembly Chamber was taken from the table.

Mr. Koutz moved to amend by striking out all after the word “resolved,” and inserting “the seats shall remain as they are, and be redistributed by lot.”

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

At eleven o'clock and fifty-five minutes A. M., Mr. Rockwell moved to adjourn, upon which the ayes and noes were demanded by Messrs. Naphtaly, Gildea and Waldron, and the House refused, by the following vote :

AYES—Messrs. Blankenship, Brown of Alpine and Amador, Calderwood, Duffy, Griswold, Hawley, Henley of Mendocino, King, Koutz, Odell, Pool, Rockwell, Scarce, Shores, Walden, Williams and Young—17.

NOES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Carothers, Colonel, Crigler, De Haven, Doss, Eichelroth, Finney, Fortune, Freeman, Fryer, Gildea, Green, Haile, G. R. B. Hayes, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Johnson, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, O'Connell, Power, Rogers, Romer, Satterwhite, Shoemaker, Slicer, Stephens, Thomas, Thurston, Waldron and York—51.

Mr. Hihn presented a memorial requesting Congress to order the land now claimed by the Southern Pacific Railroad to be restored as soon as possible to settlement by pre-emption, and requesting Congress not to make any more grants of land in large tracts in this State for any purpose, but to direct the disposition of said lands under the pre-emption laws, and to grant to railroads a fair share of the proceeds of the sale of such lands.

Read first and second times.

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

On motion of Mr. Naphtaly, the memorial was referred to the Committee on Public Lands.

Mr. Hihn offered a concurrent resolution in reference to directing the Surveyor-General not to accept any more applications for location of land in lieu of the sixteenth and thirty-sixth sections, until all the applications heretofore accepted for lands in lieu of the sixteenth and thirty-sixth sections shall have been satisfied, and such lands shall have been listed over to the State by the United States.

Read first and second times and referred to the Committee on Public Lands.

Mr. Hubner offered a concurrent resolution in reference to requesting the Secretary of the Interior to suspend, for six months, those portions of his orders of November second and eleventh, eighteen hundred and sixty-nine, authorizing the sale of the lands heretofore withdrawn for the benefit of the Southern Pacific Railroad, etc.

Read first and second times and referred to the Committee on Public Lands.

NOTICE.

Notice of the introduction of a bill was given as follows :

By Mr. Lewelling—An Act to amend an Act to provide for a system of common schools, approved March twenty-fourth, eighteen hundred and sixty-six.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Robinson—An Act to ratify and confirm an ordinance passed

by the President and Trustees of the City of San Diego, for establishing gas works in San Diego City.

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

By Mr. Miller of Marin—An Act granting James Ross and his associates the right to build and maintain a wharf in the County of Marin.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Mooney—An Act to amend an Act entitled an Act to define and establish the boundaries of Mono County, approved March second, eighteen hundred and sixty-six.

Read first and second times and referred to the Committee on Counties and County Boundaries.

By Mr. Hihn—An Act providing for a preliminary survey for the harbor of Santa Cruz and Salinas Slough, in Monterey Bay.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. McMillan—An Act to re-organize the Police Department of San Francisco, to promote its efficiency and prohibit the removal of police officers for political opinions.

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

By Mr. Naphtaly—An Act to confirm order number eight hundred and eighty-three of the Board of Supervisors of the City and County of San Francisco.

Read first and second times and referred to the Judiciary Committee

By Mr. Henley of Sonoma—An Act to create the office of Bank Commissioner, and to prescribe his duties and powers.

Read first and second times and referred to the Judiciary Committee.

By Mr. Stephens—An Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

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

By Mr. Munday—An Act to grant the right to construct and maintain a bridge and ferry across Russian River, and to open a public highway thereto.

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

By Mr. De Haven—An Act concerning roads and highways in the County of Humboldt

Read first and second times and referred to the Committee on Roads and Highways.

By Mr. Miller of Marin—An Act granting the use of two hundred feet of water front, in Marin County, to J. W. Gates, James Atkins, Thomas Green, and associates.

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

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, December 17th, 1869. }

House met pursuant to adjournment.
Speaker pro tem. in the Chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

Mr. O'Connell presented a remonstrance from residents of San Francisco, along the line of the proposed route of a railway in said city for grading purposes, as set forth in Assembly Bill No. 3—introduced by Mr. Hayes—the petitioners praying said bill do not pass.

On motion of Mr. G. R. B Hayes, the further reading of the remonstrance was dispensed with, and the same referred to the San Francisco delegation.

REPORTS OF STANDING COMMITTEES.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report :

MR. SPEAKER : The Committee on Engrossment have examined and found correctly engrossed Assembly Bill No. 4—An Act to fix the salary of the County Judge of Los Angeles County.

Also, Assembly Joint Resolution No 4—On printing public documents.

MARTIN of Butte, Chairman.

Mr. Satterwhite, from the Committee on Public Lands, made the following report :

MR. SPEAKER : Your Committee on Public Lands, to whom was referred Senate Joint Resolution No. 1—Relative to the withdrawal of public land, etc.—have had the same under consideration, and beg leave to report the same to the House and recommend that the Assembly concur in the adoption of the resolution.

Also, have had under consideration Assembly Joint Resolution No. 7—Asking the Secretary of the Interior to suspend for six months, portions of orders of November second and eleventh, eighteen hundred and sixty-nine. The committee consider that the object of this resolution is attained by Senate resolution above reported, and recommend that the author have leave to withdraw it.

Also, memorial of the Legislature of California relative to the public lands of this State—and report the same back with an amendment, and recommend its adoption as amended.

SATTERWHITE, Chairman.

REPORTS OF SELECT COMMITTEES

Mr. Fortune, from the San Francisco delegation, made the following report :

MR. SPEAKER : The San Francisco delegation, to whom was referred Assembly Bill No. 28—An Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim of P. W. Van Winkle—have had the same under consideration, and beg leave to report the bill back to the House and recommend its passage.

FORTUNE, for Delegation

Mr. Miller of Marin, from the Marin delegation, made the following report :

MR. SPEAKER : The Marin delegation having examined Assembly Bill No. 45—An Act granting the use of two hundred feet of water front in Marin County to J. W. Gates, James Atkins, Thomas Green and associates, for shipbuilding purposes—beg leave to report in favor of having the said bill recommitted to the Committee on Commerce and Navigation.

MILLER of Marin.

MOTIONS AND RESOLUTIONS.

Mr. Ryan offered the following resolution :

Resolved, That the Sergeant-at-Arms be requested to inquire into and report to the House the reason why the *Daily Examiner* newspaper is not placed upon the desks of members who have ordered the same.

Amendments were accepted to include the *Daily Morning Call*, *Marysville Daily Appeal*, and all papers subscribed for by the members.

The resolution was adopted, as amended.

Mr. Lambert offered the following :

Resolved, That the Committee on Ways and Means be and they are hereby authorized and empowered to appoint one clerk, at a per diem of six dollars, payable out of the Contingent Fund of the Assembly.

Adopted

On motion of Mr. Merritt, the resolution and amendment in reference to replacing the seats of members was taken from the table.

Mr. Merritt offered a substitute, as follows :

Resolved, That a committee of three be now appointed, for the purpose of placing and regulating the seats of members in this chamber in such a manner as may to them seem just and equitable to those members whose seats have been removed.

Mr. Haile moved that the whole matter be indefinitely postponed, which was agreed to, on a division.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER,
December 17th, 1869 }

Mr. SPEAKER : I am directed to inform your honorable body that the Senate, on Wednesday last, adopted a joint resolution relative to a mail route from Santa Rosa to Sonoma, and from Santa Rosa to Sebastopol, Sonoma County.

Also, under suspension of the rules, passed Senate Bill No. 34—An Act entitled an Act to extend the time for collecting the assessments levied on outside lands.

Also, under suspension of the rules, passed Senate Bill No. 35—An Act to extend the time for the collection of delinquent taxes on outside lands.

Also, passed Senate Bill No. 27—An Act to authorize the Regents of the University of California to establish a preparatory department.

Also, passed Senate Bill No. 28—An Act concerning the office of Public Administrator in Napa County.

CURTIS,
Assistant Clerk.

SENATE CHAMBER,
December 17th, 1869 }

Mr. SPEAKER : I am directed to inform the Assembly that the Senate on yesterday received the report of the Commissioners appointed to examine the practicability of making an outlet to Sacramento River, and referred the same to a joint committee of eight—three from the Senate and five from the Assembly. On the part of the Senate, the President appointed as such committee, Senators Minis, Comte and Pendegast.

Also, passed on yesterday, Senate Bill No. 4—An Act to amend an Act entitled an Act to provide for the formations of corporations and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

Also, passed on yesterday, Senate Bill No. 21—An Act to appropriate money for contingent expenses of the Legislature at its seventeenth session.

Also, this day, under suspension of the rules, passed Senate Bill No. 54—An Act making appropriations for the payment of rewards.

CURTIS,
Assistant Clerk.

Senate joint resolution, above reported, was read first and second times and referred to the Committee on Roads and Highways.

Senate Bill No. 34, above reported, was read first and second times and referred to the Committee on Ways and Means.

[Speaker in the Chair]

Senate Bill No. 35, above reported, was read first and second times and referred to the Committee on Ways and Means.

Senate Bill No. 27, above reported, was read first and second times and referred to the Committee on Education.

Senate Bill No. 28, above reported, was read first and second times and referred to the Judiciary Committee.

Senate Bill No. 4, above reported, was read first and second times and referred to the Committee on Corporations.

Senate Bills Nos. 21 and 54, above reported, were read first and second times and referred to the Committee on Ways and Means.

NOTICE.

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

By Mr. G. R. B. Hayes—An Act entitled an Act for the relief of Richard Long.

By Mr. De Haven—An Act to amend an Act entitled an Act concerning the auditing of accounts by the Court of Sessions and Board of Supervisors, approved May twelfth, eighteen hundred and fifty-three.

Also, an Act to amend an Act entitled an Act concerning District Attorneys, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, an Act to repeal an Act authorizing the Board of Supervisors of Humboldt County to levy a special tax for building purposes, approved February eleventh, eighteen hundred and fifty-eight.

By Mr. Rogers—An Act to establish a quarantine for the bay and harbor of San Francisco, and sanitary regulations for the City and County of San Francisco.

By Mr. Doss—An Act to provide for the payment of the salary of the County Judge of Kern County.

By Mr. Hihn—An Act to amend an Act entitled an Act for the protection of game, approved May fifteenth, eighteen hundred and sixty-four.

By Mr. Young—An Act to provide for the assessment of mining claims within this State.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Haile—An Act to amend an Act to authorize Lyman Leslie, Paul K. Hubbs, and their associates, successors and assigns, to build and maintain a wharf at the City of Vallejo, in the County of Solano, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and ordered on file.

By Mr. Miller of Marin—An Act relating to the water front of Old Saucelito.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. G. R. B. Hayes—An Act to repeal an Act entitled an Act to amend an Act to regulate the interest of money, passed March thirtieth, eighteen hundred and fifty, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Judiciary Committee.

Also, an Act to indemnify Company B, First Regiment of Infantry, Second Brigade, National Guard of California, for losses by fire.

Read first and second times and referred to the Military Committee.

By Mr. Naphtaly—An Act regulating the preparations of medicinal prescriptions and sale of certain drugs.

Read first and second times and referred to the Committee on State Hospitals.

Also, an Act for the relief of the San Francisco Cadets.

Read first and second times and referred to the Military Committee.

GENERAL FILE.

Assembly Bill No. 18—An Act to provide for the payment of the debt of Humboldt County, existing upon the thirty-first day of December, eighteen hundred and sixty-nine.

Mr. Brown of Amador moved to refer the bill to the Committee on Ways and Means.

Lost.

The bill was ordered engrossed.

Assembly Bill No. 23—An Act to authorize Alexis Kustel and Oscar Kustel, and their assigns, to construct and maintain a chute and landing at or near Fishrock Landing, Mendocino County, and to charge and collect tolls for the use of the same—was ordered engrossed.

Assembly Bill No. 8—An Act to give to grand and trial jurors mileage in the County of Monterey.

Referred to the Committee on Fees and Salaries.

Mr. Stephens, by leave, made the following report:

Mr. SPEAKER: The undersigned, members of the Sacramento delegation, report back with amendments, Assembly Bill No. 42—An Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved on the twenty-fifth day of April, eighteen hundred and sixty-three—and recommend its passage.

STEPHENS,
FREEMAN,
ODELL,
HORAN.

Mr. Stephens moved that the bill be now taken up, that the rules be suspended, bill be considered engrossed and placed on its final passage.

Mr. Duffy moved to amend the motion by referring the bill to the Committee on Fees and Salaries.

Lost.

On the motion of Mr. Stephens to suspend the rules, consider the bill engrossed and place it on its third reading, the ayes and noes were demanded by Messrs. Duffy, De Haven and Calderwood, and the House refused, by the following vote, not two-thirds voting in the affirmative:

AYES—Messrs. Andrews, Coronel, Crigler, Eichelroth, Escandon, Freeman, Green, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Kelley, King, Lambert, Martin of Butte, McClaskey, McMillan, Merritt, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, Odell, Robinson, Rockwell, Satterwhite, Shores, Slicer, Stephens, Thurston, Williams, Young and Mr. Speaker—40.

NOES—Messrs. Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Carothers, De Haven, Doss, Duffy, Finney, Fryer, Gildea, Hayes G. R. B., Hudson, Johnson, Koutz, Lewelling, McMurphy of Trinity, Miller of El Dorado, Murphy of Santa Clara, Oates, O'Connell, Pool, Power, Ryan, Sammons, Scarce, Shoemaker, Thomas, Walden and York—32.

The bill was ordered engrossed.

Assembly Bill No. 6—An Act amendatory of and supplementary to an

Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six.

The bill was amended, and, on motion of Mr. McMurry of Trinity, referred to Judiciary Committee.

Assembly Bill No. 7—An Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county.

The bill was amended and ordered engrossed.

Mr. Griswold had leave of absence for the remainder of the day.

Assembly Bill No. 27—An Act for the relief of Thomas N. Long, Sheriff of Lassen County.

Considered in Committee of the Whole, the Speaker in the Chair.

IN ASSEMBLY.

Bill reported back and passage recommended without amendment.

Ordered engrossed.

Assembly Bill No. 32—An Act to extend the provisions of an Act entitled an Act concerning hogs running at large in certain counties in this State, approved April twenty-first, eighteen hundred and sixty-five.

On motion of Mr. Henley of Sonoma, the rules were suspended, the bill considered engrossed and placed on its third reading.

Read a third time and passed—title approved.

Mr. King, on leave, offered the following resolution :

Resolved, That the Watchman, Fireman and Rear Porter, be allowed the sum of four dollars per diem, payable out of the Contingent Fund of the Assembly.

Adopted.

At two o'clock and thirty minutes p. m., Mr. Murphy of Del Norte moved to adjourn.

On which the ayes and noes were demanded by Messrs. De Haven, King and Gildea, and the motion prevailed, by the following vote :

AYES—Messrs. Appling, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Coronel, Duffy, Eichelroth, Escandon, Finney, Fortune, Fryer, Green, Hawley, Henley of Sonoma, Hihn, Horan, Hudson, Johnson, King, Koutz, Lambert, McClaskey, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Oates, O'Connell, Odell, Pool, Power, Robinson, Ryan, Satterwhite, Scarce, Shoemaker, Slicer, Walden, Williams and York—41.

NOES—Messrs. Andrews, Berry, Biggs, Blankenship, Crigler, De Haven, Freeman, Gildea, Haile, Hayes G. R. B., Henley of Mendocino, Hubner, Kelley, Lewelling, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Naphtaly, Newell, Rockwell, Sammons, Shores, Stephens, Thomas, Thurston, Waldron, Young and Mr. Speaker—31.

So the House stood adjourned.

GEO. H. ROGERS,
Speaker.

ROBT FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, December 18th, 1869. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Leave of absence was granted for one day, to Messrs. Berry and Griswold.

REPORTS OF STANDING COMMITTEES.

Mr. Lambert, from the Committee on Ways and Means, made the following report:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Senate Bill No. 21—An Act to appropriate money for the contingent expenses of the Legislature at its seventeenth session—respectfully report that they have considered the said bill, and herewith report the same and recommend its passage.

LAMBERT, Chairman.

Mr. Slicer, from the Committee on Education, made the following report:

MR. SPEAKER: The Committee on Education, to whom was referred Senate Bill No. 27—An Act to authorize the Regents of the University of California to establish a preparatory department—respectfully report that they had said bill under consideration, report it back and recommend its passage.

SLICER, for Committee.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

MR. SPEAKER: The Committee on Engrossment have examined and found correctly engrossed Assembly Bill No. 42—An Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved the twenty-fifth day of April, eighteen hundred and sixty-three.

Also, Assembly Bill No. 27—An Act for the relief of Thomas N. Long, Sheriff of Lassen County.

MARTIN of Butte, Chairman.

Mr. Hihn, from the Committee on Fees and Salaries, made a report.

[For report, see Appendix.]

Mr. Horan, from the Sacramento delegation, made the following report:

MR. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 15—An Act amendatory of and supplemental to an Act entitled an Act relative to the office of District Attorney of the

County of Sacramento, approved March sixteenth, A. D. eighteen hundred and sixty-four—respectfully report that they have had said bill under consideration and recommend its passage.

HORAN,
ODELL,
FREEMAN,
STEPHENS.

Mr. Crigler, from the Lake and Napa delegation, made the following report :

MR. SPEAKER : The Lake and Napa delegation, to whom Assembly Bill No. 31 was referred, report the same back and recommend its reference to the Committee on Fees and Salaries.

CRIGLER, for Delegation.

Mr. Walden, from the Stanislaus and Merced delegation, made the following report :

MR. SPEAKER : The Stanislaus and Merced delegation, to whom was referred Concurrent Resolution No. 5—To establish a mail route from Tuolumne City, Stanislaus County, to Millerton, Fresno County—have considered the same, and recommend its adoption.

WALDEN, for Delegation.

Mr. Pool, from the Mariposa delegation, made the following report :

MR. SPEAKER : The Mariposa delegation, to whom was referred Senate Bill No. 13, report the same back and recommend its passage.

POOL, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Blankenship offered the following :

Resolved, That that portion of a Senate message of December seventeenth, which relates to a joint committee to consider the report of the Commissioners appointed to examine the practicability of making an outlet to the Sacramento River, be concurred in by the Assembly, and that the Speaker appoint the five members on the part of the House, to act with the three members of said committee appointed by the Senate.

The House concurred in the action of the Senate in reference to the appointment of a joint committee, and the Speaker subsequently appointed the following committee on the part of the Assembly : Messrs. Haile, Berry, Kelley, Freeman and Scarce.

Mr. Merritt offered the following resolution :

Resolved, That the Speaker be and he is hereby authorized to appoint an Assistant Sergeant-at-Arms, if he may deem it expedient so to do, with power to remove said Assistant Sergeant-at-Arms whenever he may deem his services no longer necessary.

Mr. King moved to amend by striking out "Assistant Sergeant-at-Arms" and inserting "one Porter."

Mr. Hubner moved to lay on the table, on which the ayes and noes were demanded by Messrs Munday, Andrews, and Miller of Marin, and the House refused, by the following vote :

AYES—Messrs. Andrews, Appling, Blankenship, Brown of Amador, Calderwood, Carothers, Colonel. Crigler, De Haven, Escandon, Finney, Fortune, Freeman, Green, Haile, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Johnson, Koutz, Lewelling, McMurry of Trinity, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Odell, Power, Robinson, Sammons, Satterwhite, Scarce, Shores, Stephens, York and Young—37.

NOES—Messrs. Biggs, Brown of Yuba, Doss, Duffy, Eichelroth, Fryer, Gildea, Hawley, Hayes G. R. B., Henley of Mendocino, Kelley, King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Naphtaly, Newell, Oates, O'Connell, Pool, Rockwell, Ryan, Shoemaker, Slicer, Thomas, Thurston, Walden, Waldron, Williams and Mr. Speaker—37

Mr. Henley of Sonoma moved the previous question.

Sustained.

The amendment of Mr. King was lost.

On the adoption of the original resolution of Mr Merritt, the ayes and noes were demanded by Messrs Merritt, McClaskey, and Murphy of Santa Clara, and the resolution was lost, by the following vote :

AYES—Messrs. Biggs, Brown of Yuba, Duffy, Kelley, King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, Merritt, Miller of Marin, O'Connell, Rockwell, Shores, Slicer, Thomas, Thurston, Walden, Waldron and Mr. Speaker—21.

NOES—Messrs Andrews, Appling, Blankenship, Brown of Amador, Calderwood, Carothers, Colonel. Crigler, De Haven, Doss, Eichelroth, Escandon, Finney, Fortune, Freeman, Fryer, Gildea, Green, Haile, Hawley, Hayes G. R. B., Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Johnson, Koutz, Lewelling, McMurry of Trinity, Miller of El Dorado, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, Odell, Pool, Power, Robinson, Ryan, Sammons, Satterwhite, Scarce, Stephens, York and Young—51

Mr. Duffy offered the following resolution :

Resolved. That the use of this chamber be and is hereby granted to Thomas Mooney, of San Francisco, on Tuesday evening, December twenty-first, for the purpose of delivering a lecture.

Mr. Geo R B. Hayes moved to lay on the table.

On which the ayes and noes were demanded by Messrs Duffy, Calderwood and Power, and the motion prevailed, by the following vote :

AYES—Messrs. Andrews, Appling, Blankenship, Crigler, De Haven, Escandon, Finney, Freeman, Gildea, Hawley, G. R B. Hayes, Henley of Mendocino, Hihn, Hudson, Kelley, King, Lewelling, Martin of Siskiyou, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of

Marin, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Newell, Odell, Rockwell, Shoemaker, Shores, Stephens, Thomas, Williams, York and Young—36

NOES—Messrs Biggs, Brown of Amador, Brown of Yuba, Calderwood, Colonel, Duffy, Eichelroth, Fortune, Fryer, Green, Haile, Henley of Sonoma, Horan, Hubner, Johnson, Koutz, Martin of Butte, McClaskey, Mooney, Moynihan, Naphtaly, Oates, O'Connell, Pool, Power, Ryan, Sammons, Scarce, Sheer, Thurston, Walden, Waldron and Mr. Speaker—33.

Mr. Hubner offered a preamble and resolution in reference to the acoustics of the Assembly Chamber, and proposing a mutual agreement between the members to conform to certain rules and regulations, whereby those speaking could be more distinctly heard, and to avoid confusion during the session

Laid over for one day.

Mr. Hihn moved to take up the report of the Committee on Fees and Salaries, for action on the resolution thereto attached.

Carried

Mr. Henley of Sonoma moved the adoption of the report.

Mr. Hihn moved to fill the blank in the resolution, by inserting fifteen hundred copies

Mr. Murphy of Santa Clara moved to amend, by printing the usual number—two hundred and forty copies

Mr. Gildea moved to amend, by striking out all the officers named in the resolution excepting the Supervisors and County Clerks.

[Mr. Duffy in the Chair]

Mr. Haile moved to lay the whole matter on the table.

Lost

Mr. Eichelroth had leave of absence for one hour.

The motion of Mr. Murphy of Santa Clara was lost.

The Chair ruled that, under the rules, the resolution must lay over for one day

So ordered.

REPORTS.

Mr. Naphtaly, from the Judiciary Committee, on leave, made the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 2—An Act to amend an Act to organize and regulate the Justices' Court in the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and sixty-six—respectfully report that they have considered said bill, and herewith report the same back, with a substitute for said bill, and recommend the passage of the said substitute.

NAPHTALY, Chairman.

Mr. Blankenship, from the Monterey delegation, on leave, made the following report:

MR. SPEAKER: The Monterey delegation, to whom was referred Assembly Bill No. 34—An Act concerning public roads and highways in the County of Monterey—report the same back and recommend its passage.

BLANKENSHIP, for Delegation.

Mr Hihn moved a suspension of the rules, to take up the report and resolutions of the Committee on Fees and Salaries.

Lost.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER,
December 17th, 1869. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate on this day passed Senate Bill No 45—An Act amendatory of and supplementary to an Act entitled an Act relating to the Board of Supervisors of the City and County of San Francisco, and more particularly defining its powers and duties, passed March thirtieth, eighteen hundred and sixty-eight.

CURTIS,
Assistant Clerk.

SENATE CHAMBER.
December 18th, 1869. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, adopted Joint Resolution No 10—relative to suspending orders of the Secretary of the Interior in reference to public lands on the line of the Southern Pacific Railroad.

Also, this day passed, under suspension of the rules, substitute for Senate Bill No. 3—An Act in relation to the common schools of the City of Sacramento.

CURTIS,
Assistant Clerk.

Senate Bill No 45, above reported, was read first and second times and ordered on file

Senate Joint Resolution No. 10, above reported, was read first and second times and referred to the Committee on Public Lands.

Senate substitute for Senate Bill No. 3 was read first and second times and referred to the Committee on Education.

NOTICES.

Notices of the introduction of bills were given as follows :

By Mr. Murphy of Del Norte—An Act for the relief of John L Rigg, Sheriff of Del Norte County.

Also, an Act to amend an Act entitled an Act to amend an Act entitled an Act to fix the amount of official bonds of county officers in and for the Counties of Del Norte and Klamath, approved March twenty-sixth, eighteen hundred and sixty-eight

By Mr Ryan—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty two, approved March thirty-first, eighteen hundred and sixty-six.

By Mr. McMillan—An Act to reorganize the Fire Department of San Francisco

By Mr. Carothers—An Act to encourage the destruction of squirrels and gophers in the Counties of Alameda and Contra Costa.

By Mr. Hihn—An Act to amend an Act to authorize the Boards of

Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State.

By Mr. Lambert—An Act to amend section one hundred and thirty-two of the Act concerning crimes and punishments.

INTRODUCTION OF BILLS

Bills were introduced as follows :

By Mr. Miller of El Dorado—An Act to amend an Act entitled an Act to grant Larkin Lamb and his associates the right to construct and maintain a toll bridge across the Cosumnes River, in the Counties of Amador and El Dorado, approved March sixth, eighteen hundred and sixty-three

Read first and second times and referred to the Committee on Roads and Highways

By Mr. Doss—An Act to provide for the payment of the salary of the County Judge of Kern County

Read first and second times and referred to the Committee on Fees and Salaries

By Mr. Hihn—An Act to amend an Act entitled an Act for the protection of game, approved May fifteenth, eighteen hundred and fifty-four.

Read first and second times and referred to the Committee on Agriculture

REPORT.

Mr. Satterwhite, on leave, made a verbal report from the Committee on Public Lands, reporting back Senate Joint Resolution No. 10, recommending its adoption

By unanimous consent the rules were suspended and the resolution read a third time and concurred in.

INTRODUCTION OF BILLS RESUMED.

By Mr. Kelley—An Act to repeal an Act entitled an Act for the encouragement of silk culture in this State, approved March thirtieth, eighteen hundred and sixty-eight

Read first and second times and referred to the Committee on Agriculture

By Mr. Lewelling—An Act entitled an Act to amend an Act to provide for a system of common schools, approved March twenty-fourth, eighteen hundred and sixty-six.

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

At one o'clock P. M., Mr. G. R. B. Hayes moved that the House take a recess until two o'clock P. M.

Mr. Lambert offered an amendment, that the House adjourn until one o'clock P. M. on Monday, the twentieth instant, on which the ayes and noes were demanded by the requisite number, and the House refused, by the following vote.

AYES—Messrs Brown of Amador, Brown of Yuba, Calderwood, De Haven, Escandon, Finney, Fortune, Fryer, Hawley, Kelley, King, Lambert, Martin of Butte, McClaskey, McMillan, McMurphy of Trinity, Mooney, Moynihan, Murphy of Del Norte and Klamath, Naphataly, O'Connell, Odell, Pool, Robinson, Ryan and Walden—26.

NOES—Messrs. Andrews, Biggs, Carothers, Colonel. Crigler, Doss, Duffy, Freeman, Gildea, Green, Haile, Hayes G R B, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Johnson, Koutz, Lewelling, Martin of Siskiyou, Miller of El Dorado, Miller of Marin, Munday, Murphy of Santa Clara, Newell Oates, Power, Rockwell, Sammons, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Thurston, Waldron, York, Young and Mr. Speaker—40.

By Mr. Rogers—An Act to establish a quarantine for the bay and harbor of San Francisco.

Read first and second times and referred to the Committee on State Hospitals.

At one o'clock and five minutes P. M., Mr. Geo. R. B. Hayes moved to take a recess for one hour.

Lost.

By Mr. De Haven—An Act to repeal an Act amendatory of and supplementary to an Act to authorize the Board of Supervisors of Humboldt County to levy a special tax for certain purposes, and to provide for the collection of the same, approved April eighteenth, eighteen hundred and fifty-seven, approved February eleventh, eighteen hundred and fifty-eight.

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

At one o'clock and ten minutes P. M. on motion of Mr. Martin of Butte, the House adjourned.

GEO. H. ROGERS,
Speaker

ROBT. FERRAL, Chief Clerk

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, December 20th, 1869 }

House met pursuant to adjournment

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Mr. Kelley was granted leave of absence for two days.

PETITIONS.

Mr. Hudson presented a memorial to Congress embracing concurrent resolutions in regard to an amendment to the pre-emption laws, as applicable to the mountain and valley lands of this State.

Read first and second times and referred to the Committee on Public Lands

Mr. Doss presented a petition of citizens of Kern County, asking that the old Act in regard to fees and salaries may be allowed to remain in force in that county

Received and referred to the Committee on Fees and Salaries

Mr Blankenship presented a petition of citizens of Monterey County, asking that the salary of the County Assessor may be raised, and that he be allowed extra pay for this year, eighteen hundred and sixty-nine

Received and referred to Committee on Claims.

REPORTS OF STANDING COMMITTEES

Mr Murphy, from the Committee on Joint Rules, made the following report :

MR. SPEAKER: The Committee on Joint Rules beg leave to report back the rules governing the last session of the Legislature and recommend their adoption.

MURPHY, Chairman.

The report was received.

Mr Lambert, from the Committee on Ways and Means, made the following report:

MR SPEAKER: The Committee on Ways and Means, to whom was referred Senate Bill No 54—An Act making an appropriation for the payment of rewards—have had the same under consideration, and herewith report the same back and recommend its passage.

LAMBERT, Chairman

The bill was ordered on file.

MOTIONS AND RESOLUTIONS.

Mr Mooney offered the following :

Resolved. That the Chief Clerk be authorized to employ an Assistant Journal Clerk, at the per diem allowed the clerks at the desk, to be payable out of the Contingent Fund of the Assembly ; said Assistant Journal Clerk to be removable at the pleasure of the Chief Clerk.

Mr. Martin of Butte moved to amend by striking out "Chief Clerk" and inserting "Journal Clerk"

On motion of Mr. G R B Hayes, laid on the table.

Mr Hihn offered the following resolution :

Resolved, That the Committee on Public Lands be directed to report back now the joint resolution introduced by T. A Hihn and referred to said committee, instructing the Surveyor-General not to accept any more locations of lands in lieu of the sixteenth and thirty-sixth sections until all locations heretofore accepted shall have been satisfied.

Mr. McMurphy of Trinity moved to lay the resolution on the table, on which the ayes and noes were demanded by Messrs Hihn, Murphy of Santa Clara, and Young, and the motion prevailed, by the following vote:

AYES—Messrs Andrews, Biggs, Brown of Yuba, Calderwood, Crigler, Duffy, Escandon, Freeman, Fryer, Gildea, Haile, Hawley, Henley of Sonoma, Horan, Hudson, King, Koutz, Lambert, Lewelling, Martin of

Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Merritt, Miller of Marin, Munday, Murphy of Del Norte and Klamath, Newell, Oates, Pool, Power, Romer, Sammons, Satterwhite, Scarce, Shores, Slicer, Stephens, Thurston, Walden and Waldron—42.

NOES—Messrs Blankenship, Brown of Amador, Carothers, Coronel, De Haven, Doss, Eichelroth, Finney Green, Hayes G. R. B., Henley of Mendocino, Hihn, Johnson, Murphy of Santa Clara, Odell, Robinson, Rockwell, Shoemaker, Thomas, Williams, York, Young and Mr Speaker—23.

Mr. Munday offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That this House do adjourn on Wednesday, the twenty-second day of December, A D eighteen hundred and sixty-nine, to meet again on Tuesday, January fourth, eighteen hundred and seventy.

Read first and second times and ordered on file.

Mr. Slicer offered a concurrent resolution in reference to the Fifteenth Amendment, and congratulating the people of Tennessee upon the action of the Legislature of that State, in rejecting said amendment.

Read first and second times.

Mr. Duffy moved to lay the resolution on the table on which the ayes and noes were demanded by Messrs Duffy, De Haven and Waldron, and the House refused, by the following vote :

AYES—Messrs Calderwood, Carothers, De Haven, Duffy, Finney, Koutz, Power, Sammons, Waldron, Williams and York—11

NOES—Messrs Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Coronel, Doss, Eichelroth, Escandon, Freeman, Fryer, Gildea, Green, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hudson, Johnson, King, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Merritt, Miller of Marin, Mooney, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Newell, Oates, Odell, Pool, Robinson, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Thurston, Walden, Young and Mr. Speaker—54

On motion of Mr. Henley of Mendocino, the resolution was referred to the Committee on Federal Relations

Messrs Hubner and Naphtaly were granted leave of absence for one day.

Mr. Blankenship offered the following resolution :

Resolved, That the Chief Clerk, Minute and Assistant Clerks at the desk be allowed three daily newspapers, or their equivalent in weeklies.

Adopted

Mr. Horan offered the following resolution :

Resolved, That the Committee on Claims be and they are hereby authorized and empowered to appoint a Clerk, at a per diem of six dollars, payable out of the Contingent Fund of the Assembly.

On motion of Mr G R B Hayes, laid on the table

On motion of Mr. Horan, the rules were suspended and substitute for Senate Bill No 3—An Act in relation to the common schools of the City of Sacramento—was taken up, read a third time and passed, and title approved

Mr. Murphy of Santa Clara offered the following:

Resolved, That the Sergeant-at-Arms be requested to come before this House and explain the cause why the newspapers subscribed for by members of this House do not come to hand.

Adopted.

Messrs. Ryan, Griswold, Fortune and O'Connell were granted leave of absence for one day.

At twelve o'clock and forty minutes P. M., on motion of Mr. Finney, the House took a recess for one hour.

REASSEMBLED.

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

Speaker in the chair

Roll called

Quorum present.

NOTICE

Notice of the introduction of a bill was given as follows:

By Mr. De Haven—An Act to fix the compensation of the Assessor of Humboldt County

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Munday—An Act to amend an Act entitled an Act to provide for a system of common schools

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

By Mr. Freeman—An Act to authorize the County of Sacramento to issue bonds

Read first and second times and referred to the Sacramento delegation

By Mr. Lambert—An Act to amend an Act concerning crimes and punishments.

Read first and second times and referred to the Judiciary Committee.

By Mr. Haile—An Act to establish a uniform system of ballots to be used at all the elections in this State, and to punish the violation of the same.

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

By Mr. Young—An Act to provide for the assessment of mining claims in the State of California

Read first and second times and referred to the Committee on Mines and Mining Interests, and ordered printed.

By Mr. Slicer—An Act to regulate fees of office in the County of Nevada.

Read first and second times and referred to the Committee on Fees and Salaries

By Mr. Robinson—An Act to amend an Act entitled an Act respecting the Trustees of San Diego, approved April twenty-eighth, eighteen hundred and fifty-two.

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

Also, an Act confirming certain resolutions and ordinances passed by the President and Trustees of San Diego.

Read first and second times and referred to the Committee on Public Lands

By Mr. Blankenship—An Act for the relief of W. McGarvey.

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

By Mr. Romer—An Act donating to the San Francisco and North Pacific Railroad Company certain salt marsh and tide lands in the Counties of Marin and San Francisco.

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

By Mr. De Haven—An Act to amend an Act entitled an Act to amend an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty one, approved April second, eighteen hundred and fifty-seven.

Read first and second times and referred to the Judiciary Committee.

By Mr. Henley of Mendocino—An Act to authorize Assessors to complete duties imperfectly performed.

Read first and second times and referred to the Committee on the Judiciary

GENERAL FILE

On motion of Mr. Gildea. Senate Bill No 21—An Act to appropriate money for contingent expenses of the Legislature at the seventeenth session—was taken up

Bill considered in Committee of the Whole, the Speaker in the Chair.

IN ASSEMBLY.

Bill reported back without amendment and passage recommended

Read a third time and passed, and title approved

An Act to fix the salary of the County Judge of Los Angeles County was read a third time

Mr. Duffy moved to refer it to the Committee on Fees and Salaries, with special instructions to strike out two thousand dollars wherever it is named in the bill and insert fifteen hundred dollars, and report the bill back to-morrow.

Mr. Murphy of Santa Clara moved to refer to the Judiciary Committee with special instructions.

Mr. Brown of Amador moved to return the bill to the general file

Mr. Henley of Sonoma moved the previous question

Sustained.

The motions to refer to the general file, and to refer with special instructions, were lost.

On the passage of the bill, the ayes and noes were demanded by Messrs. Murphy, Rockwell, and Henley of Mendocino, and the House refused to pass the bill, by the following vote:

AYES—Messrs. Appling, Brown of Yuba, Calderwood, Crigler, De Haven, Freeman, Haile, Hawley, Henley of Mendocino, King, and Munday—11.

NOES—Messrs. Andrews, Berry, Biggs, Blankenship, Brown of Amador, Coronel, Duffy, Eichelroth, Escandon, Finney, Fortune, Fryer,

Gildea, Green, Hayes G. R. B., Henley of Sonoma, Hihn, Horan, Hudson, Johnson, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphataly, Newell, Oates, O'Connell, Odell, Pool, Power, Robinson, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Thurston, Walden, Waldron, Williams, York, Young, and Mr. Speaker—62.

Assembly Bill No 42—An Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three—was read a third time.

[Mr. Ryan in the Chair.]

On the passage of the bill, the ayes and noes were demanded by the requisite number, and the House refused, by the following vote :

AYES—Messrs. Blankenship, Brown of Amador, Carothers, Coronel, Crigler, Doss, Escandon, Freeman, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Johnson, King, Lambert, Lewelling, McMillan, Miller of El Dorado, Munday, Murphy of Del Norte and Klamath, Naphataly, Newell, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Stephens, Thurston, Walden, and Williams—35

NOES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Yuba, Calderwood, Duffy, Eichelroth, Finney, Gildea, Green, Hayes G. R. B., Hihn, Hudson, Koutz, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of Marin, Mooney, Moynihan, Murphy of Santa Clara, Oates, Power, Satterwhite, Scarce, Shoemaker, Shores, Sheer, Thomas, Waldron, York, Young, and Mr. Speaker—37.

Mr. Moynihan gave notice that he would move to reconsider the vote by which the House refused to pass Assembly Bill No 42.

At three o'clock and thirty minutes P. M., Mr. Murphy of Del Norte moved to adjourn.

Lost.

Assembly Bill No. 27—An Act for the relief of Thomas. N. Long, Sheriff of Lassen County—was read a third time and passed, and title approved.

Assembly Bill No 33—An Act to authorize the Board of Supervisors of Humboldt County to transfer moneys from one fund to another, and to provide for the disposition of the same.

Mr. De Haven moved a suspension of the rules, to consider the bill engrossed, and to place it on its final passage.

Carried.

The bill was read a third time and passed, and title approved.

At three o'clock and forty minutes P. M., on motion of Mr. Williams, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY

HOUSE OF ASSEMBLY,
 Tuesday, December 21st, 1869 }

House met pursuant to adjournment

Speaker in the chair.

Roll called

Quorum present

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Committee on Ways and Means were granted leave of absence for a part of the day.

PETITIONS.

Mr. DeHaven presented a petition from citizens of Humboldt County, in reference to the law passed at the last session of the Legislature, reducing the compensation of the County Assessor of that county, praying that a law may be enacted to increase the salary of that officer

Also, from members of the Board of Supervisors of Humboldt County in reference to the same subject.

Petitions received and referred to the Committee on Fees and Salaries.

REPORTS OF STANDING COMMITTEES.

Mr Satterwhite, from the Committee on Public Lands, made the following report :

MR. SPEAKER: The Committee on Public Lands, to whom was referred Assembly Concurrent Resolution No. 7, report the same back and recommend its passage.

SATTERWHITE, Chairman.

Mr Inman, from the Committee on Public Accounts and Expenditures, made the following report :

MR. SPEAKER: Your Committee, to whom was referred Assembly Bill No. 14—An Act to provide for purchasing postage stamps and express envelops for members and officers of the Legislature—report the same back to the House and recommend its passage.

INMAN, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Mr. King made the following report :

MR. SPEAKER: Your committee, to whom was referred Senate Bill No. 4—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two—have had the same under consideration, and report the bill back, and recommend its passage.

KING, Chairman.

Mr. Stephens, from the Sacramento delegation, made the following report :

MR. SPEAKER : The Sacramento delegation, to whom was referred Assembly Bill No 60—An Act to authorize the County of Sacramento to issue bonds, etc —beg leave to report the same back, and recommend its passage.

J. F. FREEMAN,
J. A. ODELL,
M. S. HORAN,
JAMES A. DUFFY,
R. D. STEPHENS.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report :

MR. SPEAKER : The Committee on Engrossment have examined and find correctly engrossed Assembly Bill No. 18—An Act to provide for the payment of the debt of Humboldt County, existing upon the thirty-first day of December, A. D. eighteen hundred and sixty-nine.

Also, Assembly Bill No 7—An Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county.

Also, Assembly Bill No 23—An Act to authorize Alexis Rustel and Oscar Rustel, and their assigns, to construct and maintain a chute and landing, at or near Fish Rock Landing, Mendocino County, and to charge and collect tolls for the use of the same.

Also, Assembly Bill No 32—An Act to extend the provisions of an Act entitled an Act concerning hogs running at large in certain counties of this State, approved April twenty-first, eighteen hundred and sixty-five.

MARTIN (of Butte), Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Blankenship offered the following resolution :

Resolved. That the report of the Committee on Joint Rules, submitted on yesterday, be now taken up, and that the rules which they recommend be adopted as the joint rules of the Senate and Assembly for the eighteenth session.

Adopted.

The rules were then taken up and read.

On motion of Mr. Murphy of Del Norte, the joint rules, as reported, were adopted on the part of the House.

Mr. York offered the following :

Resolved. That we now take up the resolution offered on Saturday by the Committee on Fees and Salaries, in regard to printing one thousand five hundred circulars, to be addressed to county officials, requiring said officials to furnish the said committee with all desired information.

Adopted.

Mr. Shores offered the following resolution :

Resolved, That this House entertain no motions or resolutions on the subject of fees and salaries until such time as the Committee on Fees and Salaries make their report on that subject; and that said committee is hereby instructed to hold their meetings at some convenient and accessible place, and that they admit any or all the delegations composing this House to come before them and freely discuss the subject of fees and salaries in respect to their respective counties; and that said committee is hereby instructed to report a bill on fees and salaries at some future day, embracing within its range the fees and salaries of any or all the counties in this State.

Adopted.

Mr. Brown of Amador moved to take up the concurrent resolution offered on yesterday, in reference to adjournment to January fourth, eighteen hundred and seventy, which reads as follows:

Resolved by the Assembly, the Senate concurring, That this House do adjourn on Wednesday, the twenty-second day of December, A. D. eighteen hundred and sixty-nine, to meet again on Tuesday, January fourth, eighteen hundred and seventy

Carried.

Mr. Biggs moved to amend by inserting that the members receive no per diem during said adjournment.

Lost.

Mr. Calderwood moved to amend by striking out Wednesday and insert Thursday.

Lost.

The resolution was read a third time and passed.

Mr. Stephens moved, in pursuance of the notice given by Mr. Moynihan, a reconsideration of the vote by which, on yesterday, Assembly Bill No. 42—An Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three—was lost.

On which the ayes and noes were demanded by Messrs. Hayes, Finney, and Murphy of Del Norte, and the motion to reconsider prevailed, by the following vote:

AYES—Messrs. Blankenship, Brown of Amador, Carothers, Coroneel, Crigler, De Haven, Doss, Eichelroth, Fryer, Griswold, Haile, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Johnson, King, Lewelling, McMillan, McMurphy of El Dorado, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Stephens, Thurston, Walden, Williams, York and Mr. Speaker—40.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Yuba, Calderwood, Finney, G. R. B. Hayes, Koutz, Martin of Butte, Martin of Siskiyou, McClaskey, McMurphy of Trinity, Miller of El Dorado, Miller of Marin, Murphy of Santa Clara, Oates, Power, Ryan, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Waldron and Young—26.

Mr. Lewelling moved the previous question.

Carried

On the passage of the bill, the ayes and noes were demanded by Messrs. Murphy of Santa Clara, Satterwhite and Calderwood, and it passed, by the following vote:

AYES—Messrs Blankenship, Brown of Amador, Carothers, Coronel, Crigler, Escandon, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Johnson, King, McClaskey, McMillan, McMurry of El Dorado, Moynihan, Munday, Murphy of Del Norte and Klamath, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Stephens, Thurston, Walden and Young—32

NOES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Yuba, Calderwood, Finney, Fryer, Green, G. R. B. Hayes, Hihn, Inman, Kontz, Lewelling, Martin of Butte, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Murphy of Santa Clara, Oates, Power, Ryan, Sammons, Satterwhite, Shoemaker, Sheer, Waldron and Mr Speaker—30

Mr. King offered the following resolution :

Resolved, That the Committee on Railroads be instructed to inquire whether the Central Pacific Railroad Company, in their charges on fares and freights, make any discrimination or difference, which operates unequally, as between way and through prices or charges, and if so, what legislation is necessary to remedy such unjust discrimination.

Adopted.

Mr. Martin of Siskiyou offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives requested, to use their influence to procure the establishment of a weekly mail from Shasta City, Shasta County, to Yreka, Siskiyou County, via Churntown, Copper City, Dog Creek, Portuguese Flat, Soda Springs, Strawberry Valley, Butteville, Little Shasta and Shasta Valley, and the establishment of Post-offices at Churntown, Copper City, Dog Creek, Portuguese Flat, Soda Springs, Butteville, Little Shasta and Shasta Valley.

Resolved, That his Excellency, the Governor, be requested to forward a copy of the foregoing resolution to each of our Senators and Representatives in Congress

Read first and second times and referred to the Committee on Federal Relations.

At twelve o'clock and forty-five minutes P. M., on motion of Mr. Murphy of Del Norte, the House took recess for one hour

REASSEMBLED.

At one o'clock and forty-five minutes P. M., the House reassembled.
Speaker in the Chair.

Roll called

Quorum present

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

RESOLUTIONS

In accordance with a resolution offered by Mr. York, and adopted, the resolution in the report of Mr. Hihn, from Committee on Fees and Salaries, December eighteenth, was taken up.

Resolved, That the Supervisors and the county and township officers of each county, are requested to furnish, at an early day, to the Committee on Fees and Salaries, addressed to their Chairman, a full statement of the amount of fees and salaries received by each officer, the amount of taxable property, the amount of county indebtedness, and the number of registered voters in their respective counties; also, such other information and suggestions as may be deemed advisable by them, in order to enable said Committee to present to the Assembly a bill, by the provisions of which each officer shall receive a fair compensation for each service performed by him.

Resolved, That ——— copies of this resolution and report shall be printed, and that the Clerk of this House is directed to send at an early day, copies of the same to the Supervisors and county and township officers of each county.

Mr. Hihn having previously moved to fill the blank in the resolution by inserting fifteen hundred copies, and Mr. Gildea to amend the resolution by striking out all the officers named in the resolution, excepting the Supervisors and county officers.

The amendment of Mr. Gildea was adopted.

The motion to fill the blank with fifteen hundred copies was agreed to, and the resolutions, as amended, were adopted.

Mr. Hihn moved that the rules be suspended and that the joint resolution reported back by the Committee on Public Lands, in relation to the school lands, be now taken up, considered engrossed and put on its final passage.

Carried.

Mr. Duffy was allowed to record his vote against the passage of Assembly Bill No. 42.

Assembly Concurrent Resolution No. 6—An Act directing the Surveyor-General not to accept any more applications for locations of land in lieu of certain sections until they have been listed over to the State by the United States.

Read a third time and passed.

Mr. Naphtaly offered the following resolution:

Resolved, That J. De Haven and William A. King be and they are hereby added to and appointed members of the Judiciary Committee of this House.

Laid over one day.

Mr. G. R. B. Hayes offered the following:

Resolved, That the Engrossing Clerk be allowed an assistant in his office, with the same per diem as that allowed to Copying Clerks.

Mr. Martin of Butte moved to amend by adding "and Journal Clerk." On motion of Mr. Blackenship, laid on the table.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER.
December 21st 1869. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on Saturday last, passed Senate Bill No. 58—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State.

Also, on yesterday, adopted Concurrent Resolution No. 12—Relative to printing public documents.

JOS ROBERTS, JR.,
Secretary of Senate.

Senate Bill No. 58, above reported, read first and second times and referred to the Committee on Public Lands.

Senate Concurrent Resolution No. 12, above reported, read first and second times and concurred in.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. McMillan—An Act amendatory of and supplementary to an Act entitled an Act to establish a paid fire department for the City and County of San Francisco, approved March second, eighteen hundred and sixty-six.

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

By Mr. De Haven—An Act to fix the compensation of the Assessor of Humboldt County.

Read first and second times and referred to the Committee on Fees and Salaries.

By Mr. Naphtaly—An Act to amend an Act entitled an Act to provide for the formation of accumulations and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

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

GENERAL FILE.

On motion of Mr. Biggs, Senate Bill No. 27—An Act to authorize the Regents of the University of California to establish a preparatory department—was taken up and read a third time.

Mr. Horan moved the previous question.

Sustained.

Bill passed and title approved.

Assembly Bill No. 19—An Act to repeal an Act entitled an Act fixing the number of the officers and employes of the Senate and Assembly, to define their duties and establish their pay.

On motion of Mr. Sutterwhite, the words "and Assembly" were inserted in the enacting clause.

Ordered engrossed.

Assembly Concurrent Resolution No. 6—Granting B W Jenks County Clerk elect of Klamath County, leave of absence from the State.

Rules suspended, resolution considered engrossed, read a third time and passed.

Assembly Bill No. 28—An Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim of P. W. Vanwinkle—was ordered engrossed.

Senate Joint Resolution No 1—Relative to the withdrawal of public lands.

Amendments concurred in.

Assembly Bill No 46 was temporarily passed on the file.

Senate Bill No 27—An Act to authorize the Regents of the University of California to establish a preparatory department—was read a third time and passed.

Assembly Bill No 15—An Act amendatory of and supplemental to an Act entitled an Act relative to the office of District Attorney of the County of Sacramento, approved March sixteenth, eighteen hundred and sixty-four.

Mr Duffy moved to recommit to the Sacramento delegation, with instructions to strike out all that portion that gives the District Attorney the right to appoint a clerk.

On the motion, the ayes and noes were demanded by Messrs Duffy, Calderwood and Waldron, and the House refused, by the following vote :

AYES—Messrs. Brown of Yuba, Calderwood, Carothers, De Haven, Duffy, Finney, Koutz, McClaskey, Power, Ryan, Waldron, Williams and York—13.

NOES—Messrs. Appling, Berry, Biggs, Blankenship, Brown of Amador, Crigler, Eichelroth, Escandon, Green, Griswold, Haile, Hawley, G. R. B Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Johnson, King, Lewelling, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, O'Connell, Pool, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thurston, Walden, Young and Mr. Speaker—50.

Mr. Horan moved to suspend the rules, consider the bill engrossed, and place it on its final passage.

The ayes and noes were demanded by Messrs. Duffy, Waldron, and Murphy of Santa Clara, and the motion prevailed, by the following vote :

AYES—Messrs. Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Crigler, Doss, Eichelroth, Escandon, Green, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, King, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, O'Connell, Pool, Robinson, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thurston, York and Young—46.

NOES—Messrs. Calderwood, Carothers, Coronel, De Haven, Duffy, Finney, Fryer, Inman, Koutz, Lewelling, McClaskey, McMurry of El Dorado, Mooney, Power, Ryan, Walden, Waldron, Williams and Mr. Speaker—19.

The bill was read a third time.

Mr. Duffy moved to indefinitely postpone further action on the bill.

The ayes and noes were demanded by Messrs. Duffy, Waldron and Power, and the motion was lost, by the following vote :

AYES—Messrs. Calderwood, Carothers, De Haven, Duffy, Finney, Koutz, McClaskey, Power, Waldron and York—10.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Coronel, Crigler, Doss, Eichelroth, Escandon, Green, Griswold, Haile, Henley of Sonoma, Horan, Hubner, Hudson, Inman, King, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Pool, Robinson, Romer, Ryan, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thurston, Walden, Young and Mr. Speaker—48.

Mr. Satterwhite moved the previous questioned.

Sustained.

On the passage of the bill, the ayes and noes were demanded by Messrs. Duffy, Power and Calderwood, and it passed, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Coronel, Crigler, Doss, Duffy, Eichelroth, Escandon, Fortune, Fryer, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, King, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Pool, Robinson, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thurston, Walden and Young—50.

NOES—Messrs. Calderwood, Carothers, De Haven, Finney, Inman, Koutz, Lewelling, Power, Ryan, Waldron, Williams, York and Mr. Speaker—13.

Mr. Duffy gave notice that on to-morrow he should move to reconsider the vote by which the bill passed.

At three o'clock and thirty minutes p. m., Mr Satterwhite moved to adjourn.

The ayes and noes were demanded by Messrs. Fortune, Naphtaly and Shoemaker, and the House refused, by the following vote:

AYES—Messrs. Appling, Brown of Amador, Brown of Yuba, Calderwood, Doss, Eichelroth, Fryer, Green, Inman, Johnson, Lewelling, Martin of Butte, Pool, Satterwhite, Shores and Walden—16.

NOES—Messrs. Andrews, Berry, Biggs, Blankenship, Carothers, Coronel, Crigler, De Haven, Duffy, Escandon, Finney, Fortune, Gildea, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Mendocino, Hihn, Horan, Hubner, Hudson, King, Koutz, Martin of Siskiyou, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, O'Connell, Power, Robinson, Rockwell, Romer, Sammons, Scarce, Shoemaker, Stephens, Thomas, Thurston, Waldron, York, Young and Mr. Speaker—53.

On motion of Mr. Thurston, Senate Bill No. 54—An Act making appropriations for the payment of rewards—was taken up.

Considered in Committee of the Whole.
[Mr. Gildea in the Chair.]

IN ASSEMBLY.

Bill reported back and passage recommended.

Read a third time and passed; title approved.

Mr. Lambert, from the Committee on Ways and Means, on leave, made the following report:

MR. PRESIDENT: The Committee on Ways and Means, to whom was referred Senate Bill No. 34—An Act to extend the time for the collection of the assessment levied on outside lands in the City and County of San Francisco—have had the same under consideration, and recommend the passage of the said bill, with the following amendments, to wit: Strike out section two of the bill, and make section three section two, and substitute section four for section three.

Also, have had under consideration Senate Bill No. 35—An Act to extend the time for the collection of delinquent taxes in the City and County of San Francisco, upon the lands known as outside lands—and recommend the passage of said bill, with the following amendments, to wit: Strike out section two, and substitute therefor section three, and substitute section four for section three of said bill

LAMBERT, Chairman.

Mr. Lambert moved that the rules be suspended and that the above reported bills be taken up and considered now.

Carried.

Senate Bill No. 34—An Act to extend the time for the collection of the assessments on the outside lands in the City and County of San Francisco—was now read.

Mr. Blankenship moved to make the bill the special order for the sixth day of January next; and, subsequently, was allowed to amend the motion, to make it the special order for to-morrow, at eleven o'clock and thirty minutes A. M.

Lost.

Mr. Murphy of Del Norte moved to amend by making the bill the special order for eleven o'clock and thirty minutes A. M. to-morrow.

Lost.

The motion to consider the bills now was agreed to, and Senate Bill No. 34 was taken up.

The amendments proposed by the committee were adopted.

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

The ayes and noes were demanded by Messrs. Fortune, Naphtaly and Blankenship, and the House refused, by the following vote:

AYES—Messrs. Blankenship, Brown of Amador, Coronel, Crigler, Doss, Fryer, Green, Hudson, Inman, Johnson, Lewelling, Martin of Butte, Mooney, Murphy of Del Norte and Klamath, Newell, Pool, Satterwhite, Scarce, York and Young—20.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Calderwood, Carothers, De Haven, Duffy, Eichelroth, Finney, Fortune, Freeman, Gildea, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Sonoma, Hihn, Horan, Hubner, King, Koutz, Lambert, Martin of Siskiyou, McMillan,

McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Power, Robinson, Rockwell, Romer, Ryan, Sammons, Shoemaker, Shores, Thomas, Thurston, Waldron, Williams and Mr. Speaker—49.

Mr. Doss moved to postpone further action on the bills until tomorrow, at twelve o'clock.

Lost.

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

At four o'clock and forty minutes P. M., Mr. Lewelling moved to take a recess until seven o'clock P. M.

Lost.

At four o'clock and fifty minutes P. M., on motion of Mr. Duffy, the House adjourned until seven o'clock P. M.

EVENING SESSION.

At seven o'clock P. M., the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

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

Mr. Green moved the previous question.

Lost.

Mr. Henley of Mendocino offered the following amendment: Strike out "first day of July, eighteen hundred and seventy," and insert "forty days from the first of January, eighteen hundred and seventy."

On which the ayes and noes were demanded by the requisite number, and the amendment was lost, by the following vote:

AYES—Messrs. Andrews, Appling, Biggs, Blankenship, Calderwood, Crigler, DeHaven, Doss, Duffy, Finney, Green, Haile, Hawley, Henley of Mendocino, Hudson, Inman, King, Koutz, Lewelling, Martin of Butte, McMurry of El Dorado, McMurry of Trinity, Mooney, Murphy of Del Norte and Klamath, Newell, Oates, Pool, Power, Satterwhite, Scarce, Slicer, Walden, York and Young—34.

NOES—Messrs. Berry, Brown of Yuba, Carothers, Eichelroth, Fortune, Freeman, Gildea, Griswold, G. R. B. Hayes, Henley of Sonoma, Hihn, Horan, Hubner, Lambert, Martin of Siskiyou, McClaskey, McMillan, Merritt, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphtaly, O'Connell, Rockwell, Romer, Ryan, Sammons, Shoemaker, Stephens, Thomas, Thurston, Williams and Mr. Speaker—34.

Mr. Duffy offered an amendment as follows:

Inserting "ninety days from the first day of January, eighteen hundred and seventy."

Mr. Ryan offered as an amendment to strike out "ninety" and insert "one hundred and twenty days."

Lost.

The amendment of Mr. Duffy was adopted.

Read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Waldron, Fortune and Crigler, and the bill passed, by the following vote :

AYES—Messrs. Andrews, Appling, Biggs, Brown of Yuba, Carothers, Duffy, Eichelroth, Fortune, Freeman, Fryer, Gildea, Green, Griswold, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Lambert, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Pool, Rockwell, Romer, Ryan, Sammons, Scarce, Shoemaker, Slicer, Stephens, Thomas, Thurston and Mr. Speaker—45.

NOES—Messrs. Berry, Blankenship, Calderwood, Crigler, De Haven, Doss, Finney, Haile, Hawley, Hudson, Inman, King, Koutz, Lewelling, Martin of Butte, Mooney, Newell, Power, Satterwhite, Walden, Waldron, Williams, York and Young—24.

Mr. Biggs gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

At nine o'clock and five minutes, Mr. Blankenship moved to adjourn, on which the ayes and noes were demanded by the requisite number, and the House refused, by the following vote :

AYES—Messrs. Appling, Blankenship, Calderwood, Doss, Duffy, Finney, Freeman, Fryer, Koutz, Lewelling, Martin of Butte, Oates, Pool, Power and Scarce—15.

NOES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Carothers, Crigler, De Haven, Eichelroth, Fortune, Gildea, Green, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Inman, King, Lambert, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Murphy of Santa Clara, Naphtaly, Newell, O'Connell, Rockwell, Romer, Ryan, Sammons, Satterwhite, Shoemaker, Slicer, Stephens, Thomas, Thurston, Walden, Waldron, Williams, York, Young and Mr. Speaker—53.

Senate Bill No. 35—An Act to extend the time for the collection of delinquent taxes in the City and County of San Francisco, on outside lands—was now taken up.

Mr. Duffy moved to amend as follows :

“The Tax Collector shall continue his sales from day to day until the entire assessments and taxes shall have been paid”

Mr. Martin of Butte moved to lay on the table.

Lost.

The House refused to adopt the amendment of Mr. Duffy.

Mr. Biggs offered an amendment.

Lost.

Mr. Carothers moved to amend the first section by inserting “one hundred and twenty days from the first day of January, eighteen hundred and seventy,” instead of the “first day of July, A. D. eighteen hundred and seventy.”

Adopted.

Bill read a third time.

On its passage, the ayes and noes were demanded by Messrs. Duffy, Doss and Fortune, and it passed, by the following vote:

AYES—Messrs. Andrews, Berry, Brown of Yuba, Carothers, Doss, Duffy, Eichelroth, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Lambert, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Pool, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Shoemaker, Slicer, Stephens, Thomas, Thurston, Walden, York, Young and Mr. Speaker—50.

NOES—Messrs. Biggs, Crigler, De Haven, Finney, Hawley, Hudson, Inman, King, Koutz, Lewelling, Martin of Butte, Mooney, Newell, Power and Waldron—15.

Mr. Biggs, on leave, withdrew his notice to reconsider the vote by which Senate Bill No. 34 passed.

At nine o'clock and forty-five minutes P. M., on motion of Mr. Naphtaly, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, December 22d, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. King, from the Committee on Corporations, made the following report:

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 75—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two—have had the same under consideration, and report the same back and recommend its passage.

KING, Chairman.

Mr. King moved to suspend the rules for the purpose of considering the bill now.

Lost.

Mr. Newell, from the Committee on Roads and Highways, made the following report :

Mr. SPEAKER : The Committee on Roads and Highways, to whom was referred Assembly Bill No. 52—An Act to amend an Act entitled an Act to grant Larkin Lamb, and his associates, the right to construct and maintain a toll bridge across the Cosumnes River, in the Counties of Amador and El Dorado, approved March sixth, eighteen hundred and sixty-three—respectfully report that they have had the same bill under consideration, and report it back, with a recommendation that it pass.

NEWELL, Chairman.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report :

Mr. SPEAKER : The Committee on Engrossment have examined and find correctly engrossed Assembly Bill No. 19—An Act to repeal an Act entitled an Act fixing the number of officers and employes of the Senate and Assembly, to define their duty and establish their pay.

Also, Assembly Bill No. 28—An Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim of P. W. Vanwinkle.

Also, Memorial No. 1—Memorializing Congress to order certain lands claimed by the Southern Pacific Railroad Company to be restored to settlement by pre-emption

MARTIN (of Butte), Chairman.

PETITION.

Mr. Blankenship, by request of Mr. Hihn, on leave, presented a petition from citizens of Pajaro Valley, Santa Cruz County, in favor of a railroad in said county.

Received and referred to the Railroad Committee.

MOTIONS AND RESOLUTIONS.

Mr. Naphtaly moved to take up the resolution offered on yesterday, in reference to adding Messrs. De Haven and King to the Judiciary Committee.

Agreed to.

On motion, William A. King and J. De Haven were added to said committee.

Mr. Rockwell offered the following :

Resolved, That the Committee on Commerce and Navigation be directed to visit San Francisco, during the vacation of the Legislature, and ascertain by examination, what progress has been made in the construction of the sea wall or bulkhead; and also that the committee be directed to make such personal inspection of other subjects connected with its duties as may by its members be considered necessary, and said Committee on Commerce and Navigation is hereby allowed to employ a Clerk, at the per diem allowed the assistant Clerks of this House, said allowance to be paid out of the Contingent Fund of the Assembly.

Mr. Henley of Sonoma moved to amend by striking out all in the resolution in reference to Clerk, and providing that the committee be allowed no mileage.

On motion of Mr. Geo. R. B. Hayes, the resolution was laid on the table.

Mr. Miller of Marin offered a concurrent resolution in reference to instructing our Senators and Representatives in Congress to procure the establishment of a semi-weekly mail from San Rafael, in Marin County, to Nicasio, in said county, and thence to Petaluma, in Sonoma County.

Read first and second times and referred to the Committee on Federal Relations.

Mr. Moynihan offered the following :

Resolved, That the Post-office Clerk of this House will remain here during the absence of the members, and furnish them with their papers during the holidays.

Lost.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
December 22d, 1869. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, concurred in the Assembly amendments to Senate Bill No. 34.

Also, to the Assembly amendments to Senate Bill No. 35.

Also, concurred in Assembly resolution relative to adjournment from this day to Tuesday, January fourth, eighteen hundred and seventy.

CURTIS,
Assistant Clerk.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Rockwell—An Act to change the name of John Matthew Lynch.

GENERAL FILE.

On motion of Mr. Inman, Assembly Bill No. 14—An Act to provide for purchasing postage stamps and express envelopes for members and officers of the Legislature—was taken up.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Bill reported back and passage recommended, without amendment.

On motion of Mr. Satterwhite, the rules were suspended, bill considered engrossed, read a third time and passed; title approved.

RESOLUTION.

Mr. Hihn offered the following resolution :

Resolved, That the memorial to Congress in relation to the Southern Pacific Railroad lands be placed on file and taken up, and that the rules be suspended and the memorial considered now.

Adopted.

Assembly Memorial No. 1, memorializing Congress to order certain lands, now claimed by the Southern Pacific Railroad Company, to be restored to settlement by pre-emption.

Rules suspended, memorial considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No 18—An Act to provide for the payment of the debt of Humboldt County, existing upon the thirty-first day of December, eighteen hundred and sixty-nine.

Read a third time and passed; title approved.

Assembly Bill No. 7—An Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county.

Read a third time and passed; title approved.

Mr. De Haven had leave of absence for the remainder of the day.

At twelve o'clock and forty minutes p. m., on motion of Mr. Haile, the House adjourned, under Assembly concurrent resolution, adopted and concurred in by the Senate, to meet again January fourth, eighteen hundred and seventy.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, January 4th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of Wednesday, December twenty-second, eighteen hundred and sixty-nine, read and approved.

Messrs. Biggs, Martin of Butte, M. Hayes and Lewelling were granted leave of absence for one day.

QUESTION OF PRIVILEGE.

Mr. Duffy rose to a question of privilege, in reference to an article which appeared in the *San Francisco Daily Examiner*, of December twenty-second, eighteen hundred and sixty-nine, concerning himself, as a member of the Assembly.

PETITION.

Mr. Murphy of Del Norte presented a petition of citizens of Del Norte County, praying for the reduction of the salaries of the County Judge, District Attorney and County Assessor of Del Norte County, which was received and referred to the Committee on Fees and Salaries.

MOTIONS AND RESOLUTIONS.

Mr. Lambert offered a preamble and resolution in reference to an Act approved March twenty-eighth, eighteen hundred and sixty-eight, relating to the revision and compilation of the laws of the State of California, said resolution instructing the Judiciary Committee to make strict inquiry, and report to the House why the terms of said Act have not been complied with by the Commissioners appointed under said Act, and to make such other and farther inquiries as the said committee may deem right and proper in the premises.

Adopted.

Mr. Andrews offered a concurrent resolution in reference to instructing our Senators and Representatives in Congress to use their influence to procure the establishment of a weekly mail from Millville, Shasta County, to Fort Bidwell, Siskiyou County; and also the establishment of Post-offices at Phillip's Ranch, Round Mountain, Keating Valley, Pitt River Ferry, Bengittville, Big Valley, Adin and Hot Spring Valley, and that his Excellency the Governor be requested to forward a copy of the resolution to each of our Senators and Representatives in Congress.

Read first and second times and referred to the Committee on Federal Relations.

Mr. Hihn offered a resolution which, by leave, was withdrawn, and the following presented as a substitute:

Resolved, That the Committee on Fees and Salaries be allowed a Clerk, at a per diem of six dollars, to be paid out of the Contingent Fund of the Assembly.

Adopted.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER,
January 4th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on Wednesday, December twenty-second, eighteen hundred and sixty-nine, passed, under suspension of the rules, Senate Bill No. 5—An Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State, passed May seventeenth, eighteen hundred and sixty-one.

Also, under suspension of the rules, amended and passed Assembly Bill No. 14—An Act to provide for purchasing postage stamps and express envelopes for members and officers of the Legislature.

Also, adopted Senate Concurrent Resolution No. 6—Relative to mineral lands.

Also, adopted Assembly Memorial No. 1—Memorializing Congress in reference to lands claimed by the Southern Pacific Railroad.

CURTIS,
Assistant Clerk.

Senate Bill No. 5, above reported, read first and second times and referred to the Committee on Ways and Means.

Assembly Bill No. 14, above reported, with Senate amendment. The House refused to concur in the Senate amendment to the bill.

Messrs. Murphy of Santa Clara, Berry and Power, were each granted leave of absence for one day.

Senate Concurrent Resolution No. 6, above reported, read first and second times and referred to the Committee on Mines and Mining Interests.

NOTICES.

Notices of bills were given as follows :

By Mr. Romer—An Act to amend an Act concerning wills, passed April tenth, eighteen hundred and fifty.

By Mr. McMillan—An Act to enlarge the county jail of the City and County of San Francisco.

By Mr. Brown of Amador—An Act to repeal an Act to authorize and to provide for the payment by the County of Amador to the County of Calaveras, or its assigns, of interest on certain indebtedness due from the County of Amador to the County of Calaveras, approved March thirty-first, eighteen hundred and sixty-six.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Fortune—An Act to authorize the construction and maintenance of a canal along Channel street and Mission Creek, in the City and County of San Francisco

Read first and second times and referred to the Committee on Commerce and Navigation.

GENERAL FILE.

Assembly Bill No. 23—An Act to authorize Alexis Kustel and Oscar Kustel, and their assigns, to construct and maintain a chute and landing, at or near Fish-rock Landing, Mendocino County, and to charge and collect tolls for the use of the same.

Read a third time and passed; title approved.

Assembly Bill No. 32—An Act to extend the provisions of an Act entitled an Act concerning hogs running at large in certain counties in this State, approved April twenty-first, eighteen hundred and sixty-five.

Read a third time and passed; title approved.

Assembly Bill No. 19—An Act to repeal an Act entitled an Act fixing the number of the officers and employes of the Senate and Assembly, to define their duties and establish their pay.

On motion of Mr. Lambert, re-committed to the Judiciary Committee, with special instructions.

At twelve o'clock and twenty minutes p. m., on motion of Mr. Finney, the House took a recess for one hour.

REASSEMBLED.

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

Speaker in the chair.

Roll called.

Quorum present.

GENERAL FILE RESUMED.

Assembly Bill No. 28—An Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim of P. W. Vanwinkle.

Read a third time and passed; title approved.

Assembly Bill No. 46—An Act to amend an Act to authorize Lyman Leslie, Paul K. Hubbs and their associates, successors and assigns, to build and maintain a wharf at the City of Vallejo, in the County of Solano, approved March thirtieth, eighteen hundred and sixty-eight.

Mr. Hihn moved to refer to the Committee on Commerce and Navigation.

Lost.

Ordered engrossed.

Assembly Concurrent Resolution No. 5—To establish a mail route from Tuolumne City to Millerton.

Ordered engrossed.

Senate Bill No. 13—An Act to authorize the Board of Supervisors of Mariposa County to levy an additional tax for county expenditures.

Read a third time and passed; title approved.

Assembly Bill No. 34—An Act concerning roads and highways in the County of Monterey.

Ordered engrossed.

Senate Bill No. 45—An Act amendatory of and supplementary to an Act entitled an Act relative to the Board of Supervisors of the City and County of San Francisco, and more particularly defining their powers and duties, passed March thirtieth, eighteen hundred and sixty-eight.

Mr. Naphtaly offered an amendment.

The bill with amendment was referred to the San Francisco delegation.

Substitute for Assembly Bill No. 2—An Act to amend an Act to organize and regulate the Justice's Court in the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and sixty-six

Amended; substitute adopted; ordered engrossed.

Assembly Bill No. 60—An Act to authorize the County of Sacramento to issue bonds.

On motion of Mr. Horan, referred back to the Sacramento delegation.

Assembly Bill No. 52—An Act to amend an Act entitled an Act to grant Larkin Lamb, and his associates, the right to construct and maintain a toll bridge across the Cosumnes River, in the Counties of Amador and El Dorado, approved March sixth, eighteen hundred and sixty-three.

Ordered engrossed.

Assembly Bill No. 73—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

Amended; amendment adopted; ordered engrossed.

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, January 5th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Rev. Dr. Tayer.

Journal of yesterday read and approved.

PETITIONS.

Mr. Griswold presented a report from the Board of Trustees of the Home of the Inebriate, in San Francisco, closing with a petition asking for an appropriation in aid of said institution.

Received and, on motion of Mr. Griswold, ordered printed and placed on the general file.

Mr. Freeman presented a petition from the Sacramento Ministerial Association, against the repeal of the present Sunday laws.

Received and referred to the Committee on Public Morals.

Mr. Naphtaly presented a petition of the Ladies' Protection and Relief Society of San Francisco, asking the donation to them by the State of thirty thousand dollars, to enable them to build an addition to their buildings, accompanied by the annual report of the Managers and Trustees.

Received and referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

Mr. Satterwhite, from the Committee on Public Lands, made the following report :

MR. SPEAKER : Your Committee on Public Lands, to whom was referred Assembly Memorial and Concurrent Resolution No. 2, have had the same under consideration, and beg leave to report the same back, and recommend its passage.

Also, Assembly Bill No. 67—An Act confirming certain resolutions and ordinances, passed by the President and Trustees of San Diego.

Also, Senate Bill No. 58—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State.

SATTERWHITE, Chairman.

Mr. Hubner, from the Committee on Public Morals, made the following report :

MR. SPEAKER : Your Committee, to whom was referred Assembly Bill No. 16, beg leave to report that we have had said bill under consideration, and recommend its passage.

HUBNER, for Committee.

Mr. Naphtaly, Chairman of the Judiciary Committee, made the following reports :

Mr. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 74—An Act to change the name of John Matthew Lynch—beg leave to report that they had the same under consideration, and report the bill back, with recommendation that it be indefinitely postponed

An Act of the Legislature entitled an Act to authorize County Courts to change the name of persons therein specified, approved February twentieth, eighteen hundred and sixty-six, provides that the names of persons may be changed by a special proceeding in the County Court, in the manner specified in said Act, and not otherwise.

As long as said Act is unrepealed, persons who desire to change their names must apply to the County Court of the county where the person whose name is proposed to be changed is domiciled, and there appears no reason why said Act should be repealed.

NAPHTALY, Chairman.

Mr. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 69—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, approved April second, eighteen hundred and fifty-seven—respectfully report that they have had said bill under consideration and report the same back with an amendment, and recommend its passage as amended.

The amendment proposed by the committee is the following:

Amend section one by substituting, in subdivision second, after the word "two dollars of the fine," as follows: The judgment shall direct that the defendant be employed at labor upon public works. The Board of Supervisors may direct said defendants to labor upon said public works as they may determine, not to exceed one day's labor for every two dollars of the fine imposed upon such defendants

NAPHTALY, Chairman.

Mr. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 6—An Act amendatory of and supplementary to an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six—respectfully report that they have had said bill under consideration, and report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 22—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight—and respectfully report the same back and recommend its passage.

They have also considered Assembly Bill No. 17—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and define their duties—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 40—An Act to confirm order number eight hundred and eighty-three of the Board of Supervisors of the City and County of San Francisco—and respectfully report the same back and recommend the passage of the bill.

They have also considered Senate Bill No. 28—An Act concerning the office of Public Administrator in Napa County—and respectfully report the same back and recommend the passage of the bill.

NAPHTALY, Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Murphy of Del Norte offered a concurrent resolution to grant leave of absence from this State for six months to Peter H. Peveler, County Clerk of Del Norte County.

Read first and second times and ordered on file.

Mr. King offered a resolution in reference to appointing Francis Giltner and J. H. Humphreys assistant Copying Clerks.

Mr. Biggs moved to lay on the table.

Lost.

Mr. Biggs offered an amendment as follows: Amend by striking out "Francis Giltner" and inserting "Jerry Thomas."

Lost.

Mr. Doss offered an amendment as follows: To strike out all names, in the resolution, and instruct the Chief Clerk to appoint one assistant Journal Clerk.

Lost.

Mr. Hubner moved to indefinitely postpone the whole matter.

Lost.

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

Mr. Miller of El Dorado offered the following:

Resolved, That the House, on each and every day, take a recess for one hour, from one to two o'clock p. m.

On motion of Mr. Blankenship, laid on the table.

Mr. McMillan offered the following:

Resolved, That the Secretary of State is hereby authorized and requested to hang drapery in this chamber, and otherwise arrange it in a similar manner to that in the Senate Chamber, except that the color be green, to correspond with the drapery behind the Speaker's chair.

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

Carried.

Mr. Freeman offered the following resolution:

Resolved, That Elias Downs be and is hereby appointed Porter of the gallery, to keep the same in order and good condition, at a per diem of four dollars.

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

Mr. Hihn offered the following:

Resolved, That the Committee on Ways and Means are hereby instructed to inquire into the expediency of legislation providing for the funding of the floating debt of the several counties, for the establishment of a cash basis in county expenditures, and to limit the county expenditures to the amount of the annual revenue.

Adopted.

At twelve o'clock M., on motion of Mr Haile, the House took a recess for one hour.

REASSEMBLED.

At one o'clock P. M., the House reassembled.
 Speaker in the chair.
 Roll called.
 Quorum present.

MOTIONS AND RESOLUTIONS CONTINUED.

Mr. Rockwell offered a concurrent resolution in reference to printing nine hundred copies of the report of the Board of Directors of the State Agricultural Society, and three thousand one hundred and twenty copies of the transactions of said society, including the report.

Laid over one day, under the rules.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER,
 January 4th, 1870 }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Senate Bill No. 77—An Act to provide for the relief and maintenance of the indigent sick of Klamath County.

Also, Senate Bill No. 78—An Act to provide for the payment of warrants against the Hospital Fund of Klamath County.

ROBERTS,
 Secretary.

Senate Bill No. 77, above reported, read first and second times and referred to the Klamath and Del Norte delegation.

Senate Bill No. 78, above reported, read first and second times and referred to the Klamath and Del Norte delegation.

NOTICES.

Notices of the introduction of bills were given as follows:

By Mr. Griswold—An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the the Board of Managers and the officers thereof.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Rockwell—An Act to preserve the purity of primary elections and nominating conventions.

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

By Mr. De Haven—An Act to amend an Act entitled an Act concerning the auditing of accounts by the Court of Sessions and Board of Supervisors, approved May twelfth, eighteen hundred and fifty-three.

Read first and second times and referred to the Judiciary Committee.

By Mr. Fryer—An Act to authorize Adela Thompson to convey real estate.

Read first and second times and referred to the Judiciary Committee.

By Mr. Naphtaly—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Thomas—An Act entitled an Act to incorporate the City of Gilroy.

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

By Mr. Carothers—An Act to encourage the destruction of gophers and squirrels in Alameda and Contra Costa Counties, and to provide for a bounty for the same.

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

By Mr. Johnson—An Act to amend section ten of an Act to regulate salaries and fix the compensation of certain county officers, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Fees and Salaries.

By Mr. McMillan—An Act to confirm certain orders passed by the Board of Supervisors of the City and County of San Francisco, and to authorize said Board to appropriate money for certain purposes.

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

By Mr. Martin of Butte—An Act in relation to ferries and toll bridges in the County of Butte.

Read first and second times and ordered on file.

By Mr. Mooney—An Act to amend an Act to authorize the Board of Supervisors of Inyo County to levy a special tax for building purposes, approved January twenty-ninth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Tuolumne, Inyo and Mono delegations.

By Mr. Mooney—An Act to repeal an Act entitled an Act to provide for the registration of citizens of this State, and for the enrolment in the several election districts of all the legal voters thereof, and for the prevention and punishment of frauds affecting the elective franchise, approved March ninth, eighteen hundred and sixty-six, and to repeal an Act entitled an Act to amend an Act entitled an Act to provide for the registration of the citizens of this State, and for the enrolment of all the legal voters thereof, and for the prevention and punishment of frauds affecting the elective franchise, approved March thirtieth, eighteen hundred and sixty-eight.

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

By Mr. Escandon—An Act to authorize the construction and maintenance of a wharf in San Luis Obispo County.

Read first and second times and referred to the Committee on Commerce and Navigation.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

MR SPEAKER: The Committee on Engrossment have examined and find correctly engrossed the substitute to Assembly Bill No. 2.

MARTIN (of Butte), Chairman.

By Mr. Hubner—An Act supplementary to and amendatory of an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times and referred to the Hospital Committee.

By Mr. Thurston—An Act to pay John Mullen for services rendered the State of California, in reporting and preparing testimony taken in certain swamp land trials, held in this State, by an Act of Congress, approved July twenty-third, eighteen hundred and sixty-six.

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

By Mr. Henley of Mendocino—An Act to provide for the collecting of taxes in Mendocino County.

Read first and second times and referred to the Committee on Fees and Salaries.

Mr. Carothers had leave of absence for one day.

By Mr. Blakenship—An Act to legalize the order of the Board of Supervisors of Monterey County, incorporating the Town of San Juan.

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

Mr. Blakenship, by leave, presented a memorial from the Board of Trustees of the Town of San Juan, in reference to the incorporation of said town, under and by virtue of an Act approved April nineteenth, eighteen hundred and fifty-six, which was received and also referred to the Committee on Corporations.

GENERAL FILE.

Substitute for Assembly Bill No. 2—An Act to amend an Act to organize and regulate the Justice's Court in the City and County of San Francisco, approved March twenty-six, eighteen hundred and sixty-six.

Read a third time and passed; title approved.

Assembly Memorial No. 2—In reference to bringing the mountain grazing land into market.

Ordered engrossed.

Assembly Bill No. 67—An Act confirming certain resolutions and ordinances passed by the President and Trustees of San Diego.

Amended; amendment adopted; ordered engrossed.

Senate Bill No. 58—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State.

Read a third time and passed; title approved.

Assembly Bill No. 16—An Act to repeal an Act entitled an Act supplementary to an Act entitled an Act concerning crimes and punishments.

Mr. Murphy of Del Norte moved to refer to the Judiciary Committee.

Lost.

Ordered engrossed.

At two o'clock P. M., on motion of Mr. Rockwell, the House adjourned.

GEO. H. ROGERS,
Speaker

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, January 6th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by Rev. Dr. Hendricks.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Eichelroth made the following report:

MR. SPEAKER: Your committee, to whom Assembly Bill No. 92 was referred—an Act regulating the preparation of medical prescriptions and sale of certain drugs—beg leave to report the same back, with the inclosed substitute for section two, and recommend its passage.

EICHELROTH, for Committee.

Mr. Merritt, from the Committee on Counties and County Boundaries, made the following report:

MR. SPEAKER: The Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 37—An Act to amend an Act entitled an Act to define and establish the boundaries of Mono County, approved March second, one thousand eight hundred and sixty-six—beg leave to report that they have had the same under consideration, and report the same back to the House without amendment, and recommend its passage.

MERRITT, Chairman.

Mr. Horan, from the Committee on Claims, made the following reports:

MR. SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No. 66—An Act for the relief of W. V. McGarvey—having considered the same, refer said bill back, and recommend its passage, with the following amendment in section second of said bill, inserting: "For services rendered as Assessor for the year eighteen hundred and sixty-nine."

HORAN, Chairman.

MR. SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No. 5—An Act for the relief of Patrick Campbell—having had the same under consideration, refer said bill back, and recommend its passage.

HORAN, Chairman.

MR. SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No. 25—An Act to pay certain outstanding indebtedness

of the County of Mono, incurred prior to the segregation of said county, by virtue of the Act, approved March twenty-sixth, eighteen hundred and sixty-one, to ascertain and mark a portion of the eastern boundary of this State—after consideration, the same is referred back, and recommend its passage.

HORAN, Chairman.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: The Committee on Engrossment have examined and found correctly engrossed Assembly Bill No. 16—An Act to repeal an Act entitled an Act concerning crimes and punishments.

Also, Assembly Bill No. 46—An Act to amend an Act to authorize Lyman Leslie, Paul R. Hubbs, and their associates, successors and assigns, to build and maintain a wharf at the City of Vallejo, in the County of Solano, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 52—An Act to amend an Act entitled an Act to grant Larkin Lamb, and his associates, the right to construct and maintain a toll bridge across the Cosumnes River, in the Counties of Amador and El Dorado, approved March sixth, eighteen hundred and sixty-three.

Also, Assembly Concurrent Resolution No. 5—To establish a mail route from Tuolumne City to Millerton.

Also, Assembly Memorial and Concurrent Resolution No. 2.

MARTIN (of Butte), Chairman.

REPORTS OF SELECT COMMITTEES.

Mr. Murphy of Del Norte made the following report:

Mr. SPEAKER: The delegation from Klamath and Del Norte, to whom were referred Senate Bills Nos. 77 and 78, beg leave to report that they have had the same under consideration, and, after a thorough examination of the aforesaid bills, report the same back to this House, and recommend their passage.

MURPHY, for Delegation.

Mr. Munday made the following report:

Mr. SPEAKER: Your committee, to whom was referred Assembly Bill No. 43—An Act to grant the right to construct and maintain a bridge and ferry across Russian River, and to open a public highway thereto—beg leave to report the same back and recommend its passage.

HUDSON,
HENLEY,
MUNDAY.

MESSAGE FROM THE GOVERNOR.

A message was received from his Excellency the Governor, transmitting the proposed Fifteenth Amendment to the Federal Constitution, as follows:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 5th, 1870.

GENTLEMEN OF THE SENATE AND ASSEMBLY: A proposed amendment to the Federal Constitution, embodied in a concurrent resolution of Congress, has been received at this Department and is hereby transmitted for your ratification or rejection. It is in the form of an additional article, and is as follows:

ARTICLE XV.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

The importance of the principle involved in this amendment will be accepted as a sufficient justification for accompanying it with some views upon the subject.

It is well to understand, at the outset, that the issue is not, what classes ought or ought not to be intrusted with the elective franchise, or whether, under any circumstances, race should or should not debar any from the exercise of this privilege. All this is a proper subject for consideration and settlement by the people of a State when they frame their organic law, but is not necessarily involved in considering the proposition submitted by Congress, which is to restrict the people of the several States from exercising their own independent judgment upon the subject. Whether, therefore, Chinese and Indian suffrage is expedient, is not directly in issue at present, but the question is whether the Federal Constitution ought to be so amended as, on one hand, to prevent the people of each State from excluding either of these races from the ballot box, if in their judgment such exclusion is necessary, and on the other, to give Congress the power to place other restrictions upon the exercise of suffrage without the assent of the State Legislatures; in other words, whether suffrage should be controlled and regulated by each State for itself or controlled, enlarged and restricted by Congress alone.

Keeping, therefore, the issue separate from collateral ones, two questions are presented in the proposition. The first is a question of *power*, and the second one of *policy*. If it is not in the power of Congress, in conjunction with three-fourths of the States, to take from any State without its consent a right reserved at the formation of the Constitution; in other words, if to deprive a State of a distinct right, originally reserved, is not within the purview of the clause relating to amendments, then of course the proposed amendment must be rejected. And if it is in conflict with sound policy, the same result ought to follow.

WOULD THE AMENDMENT BE VALID IF IT WENT THROUGH THE FORMS OF
ADOPTION?

This inquiry can only be intelligently answered by considering the nature and history of the Federal Constitution. When the people of any State, through their delegates in convention, frame a Constitution, they confide to it the whole mass of sovereign powers appertaining to the body politic, with such limitations only as are expressly imposed. The Con-

stitution thus formed represents and embodies the entire sovereign power of the people with such exceptions as are stated in the instrument. The Constitution of the United States is not such an instrument as this. It was not formed upon any such principles, and is not subject to any such rules of construction. It does not represent the whole sovereign power of the people of the United States, considered either in their aggregate capacity or in their several distinct State organizations. It is not an instrument embodying the entire political power of the people, or of the States, with only specified exceptions, but on the contrary, it is a simple delegation to a constituted Federal authority of certain defined and enumerated powers. There is much unprofitable quibbling on this subject, and much disputation about words instead of substance.

There are certain facts of history which bear upon the legal questions involved, and to which it is well briefly to recur. When the Constitution was framed, the States of the Union were so many distinct independent sovereign communities. Great Britain was no more absolutely sovereign and independent than were the States of New York and Massachusetts, Rhode Island and others. Each of the States had a political organization or framework of government, based upon republican principles, which answered very well all the legitimate ends aimed at in political institutions. For the purpose, however, of harmonious co-operation in dealing with foreign nations, and to prevent collision among themselves, these independent States determined to confer certain governmental powers upon a federal head, and for this purpose the convention of seventeen hundred and eighty-seven was called together. It was composed of delegates from States, each of which was then an independent nationality. They framed an instrument which confided certain powers to a Federal Executive, Legislature and Judiciary, and which was acted upon and approved by the people of each State separately. No one State was bound without its assent, and each retained its absolute independence, except only so far as it parted with it to the Federal Government thus formed.

There has been an infinitude of discussion as to whether the Federal Constitution was framed by the people of the United States considered in mass, or by the people of each State acting as a separate political community. The simple truth of history is, that the Constitution was not the work of the people of the United States in their aggregate capacity, but was the work of the States acting as distinct and independent bodies. The word "State" is used in so many different senses that it is well to fix its signification in considering this subject. Using the word as signifying the people of each State, and not the territory or the legislative, executive and judicial authorities, it is an undeniable fact that the Federal Constitution was adopted by the States, and not by the people of the whole country acting collectively. Each of the political communities termed States, in ratifying the Federal Constitution, delegated to the Government provided for by it the powers expressed in the charter, and none other. Each one reserved certain great sovereign powers, among which was the fundamental and essential attribute of all self-governing communities, to wit: that of determining who and what classes should participate in the election of its officers and in framing and administering its laws.

The clause of amendment in the Federal Constitution, although general in its language, should be construed in its relations to what was really the subject matter upon which it was to operate. It was a right to amend the Constitution, and this latter was simply the powers delegated

to the Federal authority. Those powers might, by amendment, be modified, but the power to amend is properly and legitimately confined to this. The States can amend the "Constitution," that is, the "powers delegated," by pursuing certain steps, but farther than this, the right of amendment cannot go. This is not theory; it is simple history and fact. It is law as expounded in effect and in analogy by Chief Justice Marshall, one of the earliest and, perhaps, the greatest jurist our country has produced. Though he was in politics a Federalist and leaned toward strong central authority and against strict construction; though he went much farther in favor of federal power than either Jefferson, Madison or Monroe, still even he judicially declared, in the case of *Gibbons vs. Ogden*, in delivering the opinion of the Supreme Court of the United States, that the Federal Government "possessed only certain enumerated powers." In the same case, he says: "It has been said that they" (the States anterior to the formation of the Constitution) "were completely independent, and were connected with each other only by a league. This is true." In the case of *McCullough vs. The State of Maryland*, he used these expressions: "No political dreamer was ever wild enough to think of breaking down the lines which separate the States, and of compounding the American people into one common mass." This opinion was delivered in the year eighteen hundred and nineteen. Had Judge Marshall lived just half a century later, he would hardly have ventured to give this unqualified assurance; for we have not only many such men now in high places, but we have seen at this day those who advocate the erection of a grand central consolidated Government upon the ruins of the Constitution. In this same case, he says further: "This Government is acknowledged to be one of enumerated powers. The principle that it can exercise only the powers granted to it, is now universally admitted."

In the case of *Briscoe vs. The Bank of the Commonwealth of Kentucky*, Judge McLean, in delivering the opinion of the same Court, says: "The Federal Government is one of delegated powers; all powers not delegated to it are reserved to the States or to the people."

This principle is not new. It is as old as the Government. It is a fact of history. It is inscribed upon the very front of the Constitution; expressed in so many words in that instrument. It is a principle of law adjudged by the highest tribunal in the country.

Such is the Constitution to which the article relating to amendments was applied.

That article provides that Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments, which, when ratified by the Legislatures of three-fourths of the States, shall be valid as parts of the Constitution; provided, that no State shall, without its consent, be deprived of its equal suffrage in the Senate. This proviso has been quoted to found upon it an argument that it constitutes the sole exception to an unlimited power of amendment, which might radically change and transform the whole system. It is obvious, however, that this proviso is entirely consistent with the limitation of the right of amendment to the powers delegated. It would be irrational to infer from a proviso inserted out of abundant caution any such sweeping results. The proviso was evidently inserted lest there might be some claim to modify what was part of the framework as originally constructed, and to appease the extreme jealousy entertained by the States lest there might be some interference with their perfect equality as distinct and independent communities. Under this same omnipo-

tent power of amendment, *this very proviso might be stricken out by three-fourths of the States, if the power of amendment has no limit.* The same logic which sustains the proposition under review, would sustain the modification of that clause by striking out the prohibition.

It would hardly be contended that, by amendment, this right of equal suffrage could be infringed, and yet this is no more sacred than any right which is reserved by each State, and no more absolutely outside of the operation of the Constitution.

When the tenth article was adopted, which declares that "all powers not delegated to the United States are reserved to the States respectively or to the people," is it probable, or possible, that those who supported this article would have sanctioned the doctrine that, by process of amendment, any one State could be deprived of rights so carefully and jealously reserved?

It would occupy too much space to review at length the various judicial decisions which bear upon the question. Indeed most of the decisions, including those above referred to, declare axioms rather than solve problems, and state facts rather than announce principles.

A man may deny that the world is round, that the sun is the source of light and heat, that General Jackson commanded the American army at New Orleans, or any other fact, either of history or of nature; and much of what is termed "argument" against the right of each State to regulate its domestic concerns, and much of the claim made in behalf of Federal encroachment, has consisted in a bold denial of facts of history and in a vigorous assertion of fictitious events.

The very idea of amendment, it may be well said, involves the pre-existence of something which is to be amended, and, in this case, the proposition is to amend the powers originally delegated by depriving the States of a right reserved.

In common and parliamentary language there is a clear and definite meaning attached to the term "amendment," which implies the modification of some proposition already formed and stated, and, without doing violence to this ordinary use of the word, it cannot be said that a power which has no existence in the Federal Constitution can, by amendment, be either enlarged or abridged.

WHAT LIMIT CAN BE SET TO THE POWER OF AMENDMENT, AS CLAIMED BY CONGRESS?

This right to amend either has a limit or it has none. No rational man, however, would have the hardihood to contend that by an amendment a hereditary monarchy could be established, or provision made for breaking down State lines and "compounding the States into one common mass;" for depriving the people of any State of the power to elect their Executive, Legislature and Judiciary, or for accomplishing any complete subversion of our system. It is no answer to this to say that such things are too improbable and monstrous to be supposed, because we are discussing the simple question of power. If there is no limit to this process of amendment, the people of a section of the country *could* be deprived of every vestige of self-government, and held in a condition of provincial servitude. Whether such monstrous results are probable or improbable is not material to the present inquiry; but it may be truly said, in passing, that the abolition of civil government, and the establishment of military rule and military tribunals, years after hostilities have ceased, is as monstrous a violation, not merely of law

and Constitution, but of the first principles of civil liberty, as could well be conceived of.

The right of amendment, then, must have some limit. It is not an unlimited license to deprive any State of a right which it refused to surrender at the time it entered the Union, but in its spirit and essence has relation to the mass of delegated powers which compose what we call "the Federal Constitution."

Those who favor the proposition, argue that the clause of amendment is so general in its terms that it gives to Congress and three-fourths of the States power to construct a totally different system of government, and to deprive the remaining fourth of any or all the rights and powers heretofore possessed.

The unsoundness of this view will sufficiently appear from a candid consideration of the subject in the light of settled rules of construction. The clause ought not to be interpreted as standing separately by itself, but in its relations to other parts of the instrument, and in view of the whole scope and theory of the system. The great jealousy manifested by many of the original States when they entered into the Union shows clearly that they would never have voluntarily become entangled under a constitution which provided the means for their subversion and extinction.

The people of Rhode Island, when they ratified the Constitution, did so with this explicit declaration: "That the rights of the States, respectively, to nominate and appoint all State officers, and *every other power, jurisdiction and right which is not clearly delegated to the Congress of the United States*, or to the departments of Government thereof, remain to the people of the several States, or their respective State Governments, to whom they may have granted the same," etc.

All the other States, doubtless, ratified with the same understanding as that expressed by the people of Rhode Island. We are now asked to believe that every one of these powers, jurisdictions and rights, may be wrested from one-fourth of the States, by this process of amendment, and conferred, against their will, upon the Federal authority.

Of all the rights reserved, the last one probably which the States would have surrendered, was that of regulating and controlling the elective franchise within their borders. A proposition to allow the people of New York or Virginia to impose restrictions upon, or make rules respecting suffrage in Massachusetts, would have been rejected without a division. Neither the people of New York, or Virginia, or Massachusetts, would have tolerated the suggestion that the people of some other State should interfere with the exclusive regulation, by the former, of the elective franchise, or say who should or should not vote in the election of their Legislatures, and State and local officers. Nothing can be more improbable than that either one of the original States, whose people had undergone such sufferings, and made such sacrifices of property and of blood to gain their independence, would have voluntarily surrendered it by conceding to the people of any other State, or to any power outside of themselves, the right to dictate who should or should not participate in the control of their local affairs.

What was the spirit and essence of the reservation made by the States of certain rights and powers? It was *clearly understood* that a "reserved power" was one withdrawn and excluded entirely from the operation of any and every clause in the Federal Constitution, including the clause in reference to amendments. The powers reserved were left under the sole and exclusive jurisdiction of each State, free from any other influence or control. This

is what was intended and what was effected by reserving certain rights. Each State felt unwilling to place the rights which were thus retained, where they could be interfered with by any power except its own citizens, and the wisdom of this is becoming more manifest every day.

THE PRACTICE OF THE GOVERNMENT TENDS TO SUPPORT THE VIEWS
ABOVE ADVANCED.

The first twelve amendments to the Constitution are designed to secure more perfectly the powers reserved by the States, and the personal rights of their citizens, and the twelfth amendment repeats the requirement that in voting for President the House of Representatives shall vote by States, each State having one vote. It was not until recently, after the Government had been in operation three-fourths of a century, that any attempt was made by amendment to interfere with the exclusive right of each State to regulate its domestic concerns. So far, therefore, as the uniform practice of the Government has weight, it bears strongly against the interpretation placed upon the clause under consideration by those who favor this amendment. It seems clear, then, upon principle and authority, that if the proposed amendment went through the forms of adoption it would be a mere *brutum fulmen*, destitute of any validity whatever. Aside, however, from the *legal* questions involved, the objections to the proposition on the score of *public policy* seem unanswerable. To say that the people of California should tie their hands upon this subject, is to charge upon them either incompetency to comprehend what is expedient and just to those within her jurisdiction, or unwillingness to be governed by justice and sound policy. It would require some boldness for any one to come before the people of this State with such a charge, and if the people are competent to determine whether any, and what, restrictions should be placed upon the elective franchise, it is difficult to discover any plausible reason why they should surrender the power of determination to a Congress of which they elect but five members in both Houses. It is fair to presume that the people of this State understand their duties and interests in reference to this subject quite as well as they are understood by the people of the States east of the mountains.

If this amendment is adopted, the most degraded Digger Indian within our borders becomes at once an elector and, so far, a ruler. His vote would count for as much as that of the most intelligent white man in the State. In this event, also, by a slight amendment to the naturalization laws, the Chinese population could be made electors.

It is contended by some that the exercise of suffrage is a matter of absolute right, which cannot be withheld from any adult person, male or female, living under the Government. It is only upon this ground, if it were tenable, that there could be any argument in favor of the proposition embodied in the amendment; but this will not bear a moment's discussion. The elective franchise is not a right, but a privilege, to be conferred upon such classes only as can exercise it for the general good. If it were an absolute right, then the naturalization laws, requiring five years' residence, have been a continued outrage upon those who have come here from Europe to make this country their home. The whole theory of those laws is based upon increased qualifications supposed to result from a residence of five years. It is upon the same ground only

that we justify our denial of the right to vote to young men of nineteen and twenty. The right of suffrage has never, at any time, nor in any country, been deemed an absolute or inalienable right, and never will be so, until common sense and reason cease to be a guide in political affairs.

There is no plausible argument, then, in favor of this amendment, which can be addressed to the people of this State. On the contrary, every consideration of legal right and public policy makes against it. Nothing could be more loose and objectionable than the clause which authorizes Congress to enforce the restraint upon the States by "appropriate" legislation. Who is to judge of what is "appropriate?" Under this phraseology, Congress is made the exclusive judge; and if it declares any particular measure enacted by that body to be appropriate, it would claim that, upon rules of construction, no tribunal would have the right to revise its discretion. Congress, then, under the guise of professedly "appropriate" legislation, could enact almost anything which a fertile imagination might suggest.

There is another serious objection to the form of this amendment. It declares that certain specified restrictions shall not be placed upon the elective franchise by the United States, leaving the inference open that any other restriction may be. The same school of loose constructionists, who are laboring to transform our federative system into a consolidated one, will hereafter argue that to restrict the United States in one direction recognizes their right to act in any other, and places, therefore, the whole subject under Congressional control. The artifice and deception already employed to engraft this provision upon the Constitution justify suspicions of the good faith of its advocates; but, whatever may be the motive for selecting the phraseology, the danger is apparent that an implication will be founded upon it to take from the States any power to resist Federal interference with suffrage, upon any ground which may accord with the judgment or caprice of representatives from other States.

The fourteenth and fifteenth amendments, so called, have a direct design and tendency to centralize the Government, and to deprive each State of any control over its local affairs. Under the Constitution, as originally framed, certain appropriate functions were assigned to the Federal Executive and Congress. It was intended to confine them to such objects as affected all the States in their federative capacity, and to leave each State the exclusive control of its local and domestic concerns. To depart from this design, and centralize all power at the Federal Capital, is to diverge widely from the original spirit of our system, and to violate the principles of self-government.

Any control over the local affairs of this State exercised by representatives elected by the people of one or more of the Atlantic States is essentially a despotic control, because it is exercised by legislators neither chosen by us nor responsible to us. A rule not resulting from our choice, and wholly irresponsible, is of the essence of despotism. If, in our local concerns and interests, we are to be governed by representatives of other States, we might as well be governed by a foreign king or emperor. The control might be more enlightened and more conscientious in the former case, or it might not; but it certainly would not be less absolute, irresponsible and despotic.

We elect three of the two hundred and thirty-four members of the House and two of the seventy-four members of the Senate, but if those bodies are to regulate our domestic affairs and dictate to us our whole

domestic and internal policy, we might as well have no representative in either body, because when they chance to differ from an arbitrary majority, ignorant of our wishes and interests, their voices and votes would be powerless. The evil is not atoned for to any extent, because at some time in the future our representatives might in the same way tyrannize over other communities. We neither desire to practice nor suffer despotic rule, and if the various amendments already proposed to the Federal Constitution were to have any legal validity, it is difficult to see what substantial right of self-government would be secure from the encroachments of central power.

The means taken to secure the passage of the proposed amendment are not such as to commend it to favor. A pledge of as solemn and unequivocal a character as could be framed, was given by the successful party in the late Presidential contest against any interference with the right of each of the Northern States to exercise exclusive control over the suffrage within their territory. Upon this pledge they succeeded in electing their candidates, and as soon as their success was secured they proceeded at once, in deliberate violation of the pledge given, to adopt every means within their reach to do precisely what they declared they would not do. These measures were as unworthy as the scheme itself was disreputable. Representatives were excluded from States which had not assented to the amendment, and their admission held out as a bribe to secure its ratification. Every expedient of coercion on the one hand and reward on the other has been resorted to. The people were not allowed the opportunity to manifest their will, but the amendment was pressed through the Legislature of more than one State whose people were notoriously adverse to it. No amendment adopted by the use of such means could possess any binding obligation unless it has become a principle of constitutional law that falsehood, fraud and duress can impart validity to an amendment when the same elements would avoid a contract between private parties in any Court of justice in christendom.

It is idle to suppose that the people of this State or of any other of the States will be satisfied to have wrested from them the right to control their local affairs. They are not blind to the fact, that it is this control which is but another name for liberty, and which *is* liberty. No system which violates the maxims and principles of freedom can be made permanent by political artifice or by the use of military force. It is too much in conflict with the genius and traditions of the American people, and with that inextinguishable love of liberty which, though it may seem dormant for a while, will certainly revive and assert its irresistible power. It is not possible for an oligarchy of politicians, sitting in conclave at Washington, to continue long to exercise arbitrary control over the people of remote States in all the arrogance of conscious tyranny, violating that cardinal doctrine of all free government, to wit: that every people has the absolute and inalienable right to control their own destiny, and to form their own political and social institutions. It is this principle, consecrated by the blood of the martyrs of freedom in our own revolution and in all ages, which no political organization can safely violate, and which lies at the foundation of the struggle now in progress in this country. The attempt is made to transfer political power from the people themselves to legislators at Washington; to submerge the Executive and Judiciary under unlimited Congressional control; to destroy all the checks and balances of our system and convert it into one resembling the French National Convention, from

which the people of that country gladly escaped by seeking refuge in the despotism of one man from that of an unscrupulous and tyrannical legislative majority. Such an attempt can never permanently succeed among a people educated to freedom as are the Americans from childhood. It needs but that they should see the contest as it is between liberty and local self-government on one side and centralized power or despotism on the other, and to this they cannot long be blind. Peace in our distracted country is an object desired by all, but it is only attainable by recognizing the truth that Government derives its just powers from the consent of the governed, and that it is not possible to perpetuate arbitrary rule, in the hands either of a king or of a Congress. The right of self-government is as sacred to the people of Georgia as it is to those of Massachusetts, and the tyranny of political adventurers over the people of States whose representatives have been arbitrarily excluded from Congress, to whom all the promises of the Government have been falsified and whose liberties have been trampled under foot, will at no distant day be justly regarded as among the most wrongful of those which have defaced the annals of modern times.

It would be unjust to the mass of the Republican party to suppose that this tyranny has their deliberate sanction. It is condemned by all of them whose minds are not under the dominion of party prejudice and whose judgments are not clouded by the bitterness engendered in the war; but if it were true that the rank and file of that party or the majority of the people of the Northern States were so far misled by their political leaders as to look on with complacency while chains were being placed on their own necks and on those of their Southern brethren, we would still owe it to ourselves and to the cause of constitutional liberty throughout the world, to raise our voices in condemnation and in warning.

In view, then, of the want of legal power to bind any State to this so-called amendment, and of the pernicious principle which it embodies, as well as in view of the scandalous manner in which the people of the several States have been sought to be defrauded, bribed and coerced into its adoption, I trust it will be formally rejected by your honorable bodies.

H. H. HAIGHT.

The message was referred to the Committee on Federal Relations.

MOTIONS AND RESOLUTIONS.

Mr. Mooney offered the following resolution :

Resolved, That the Chief Clerk appoint, at such time as he deems their services necessary, an Assistant Journal Clerk and one Assistant Copying Clerk, with the same per diem paid the Journal Clerk and Copying Clerk, payable out of the Contingent Fund of the Assembly.

Mr. Martin of Butte offered an amendment, to strike out "Chief Clerk" and insert "Journal Clerk."

On motion of Mr. Murphy of Del Norte, the whole matter was laid on the table.

On motion of Mr. Horan, the following resolution offered by him on the twentieth of December, eighteen hundred and sixty-nine, was taken up :

Resolved, That the Committee on Claims be and they are hereby authorized and empowered to employ a Clerk, at a per diem of six dollars, payable out of the Contingent Fund of the Assembly.

Mr. Murphy of Del Norte moved to amend, by striking out "six dollars" per diem, and insert "five dollars."

Adopted.

On motion of Mr. Duffy, the resolution was amended to read that the per diem shall commence from and after the appointment of said Clerk.

Mr. Waldron moved to refer the resolution to the Judiciary Committee.

Lost.

The resolution, as amended, was then adopted.

Mr. Lambert offered the following :

Resolved by the Assembly, That five thousand copies of the Governor's message, transmitting the proposed Fifteenth Amendment to the Constitution of the United States, be printed for general distribution.

Laid over one day, under the rules.

Mr. Eichelroth offered the following :

Resolved, That the usual number of copies of Assembly Bill No. 92—An Act to regulate the sale of drugs—as reported by the committee, be printed.

Adopted.

Mr. Escandon was granted leave of absence for two days, and Mr. McClaskey, for the remainder of the week.

On motion of Mr. Fortune, the usual number of copies of Assembly Bill No. 75 was ordered printed.

Mr. Henley of Sonoma offered the following resolution :

Resolved, That the name and title of the Committee on Railroads be changed so as to read as follows : "Committee on Railroads and Telegraphs," and that in addition to the present duties of said committee, all matters or things relating to telegraph lines and franchises shall be referred to said committee.

Adopted.

Mr. Hubner offered the following :

Resolved, That it is hereby made the duty of the Chief Clerk or his assistant to read the history of each bill, or other document, when the same are taken from the general file and brought before the House for action ; and also state what the report of the committee or delegation is, if it has been previously referred.

Adopted

Mr. Inman offered the following resolution :

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to issue his warrants upon the Contingent Fund for the payment of all accounts calling for a sum less than one hundred dollars, after the same shall have been audited by the Chairman of the Committee on Accounts and Expenditures.

Adopted.

Mr. McMurry of Trinity offered the following :

Resolved, That the Speaker appoint a committee of three on contingent expenses, to whom all resolutions and motions for the appointment of additional officers of this House, or clerks of committees, shall be referred.

Adopted.

Mr. Eichelroth offered the following resolution :

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to procure racks or other suitable accommodations for hanging hats and cloaks in this House.

Laid on the table, on motion of Mr. Gildea.

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

Resolved, That the Secretary of State is hereby authorized and requested to hang drapery in this chamber, and otherwise arrange it in a similar manner to that in the Senate Chamber, except that the color be green, to correspond with the drapery behind the Speaker's chair.

Mr. King offered the following substitute :

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to hang drapery around the lobby and windows of this chamber, and otherwise arrange the carpet and matting in a similar manner to that in the Senate Chamber.

The substitute for the original resolution was accepted, and the original resolution withdrawn.

Mr. Lambert moved the previous question.

Sustained.

The substitute was then adopted.

Mr. Koutz offered a preamble and resolution, in reference to the revision and compilation of the laws of this State, instructing the Committee on Public Printing to report why the whole of the statutes reported as revised by said Commission were not published.

Read first and second times and referred to the Judiciary Committee.

On motion of Mr. Gildea, the resolution in reference to taking a recess from one o'clock to two o'clock P. M., was taken from the table, and amended to read as follows :

Resolved, That the House, on each and every day, take a recess from half-past twelve o'clock to half-past one o'clock P. M.

Adopted.

Mr. Henley of Mendocino offered the following :

Resolved, That the Committee on Railroads and Telegraphs be instructed to inquire what legislation, if any, is necessary to secure to all editors or individuals equal access to the use of the telegraph wires for the transmission of dispatches, without discrimination or favor, either to combinations or individuals.

Adopted unanimously.

Mr. Rockwell moved to take up the resolution in reference to printing the report of the Board of Directors of the State Agricultural Society.

Carried.

The resolution was amended to read "nine hundred and sixty copies of the report."

At twelve o'clock and thirty minutes P. M., the House took a recess.

REASSEMBLED.

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

Speaker in the chair.

Roll called.

Quorum present.

The Speaker appointed the following Committee on Additional Officers of the Assembly: Messrs. McMurry of Trinity, Frier, and Henley of Sonoma.

RESOLUTIONS.

The resolution in reference to printing copies of the report of the State Agricultural Society was again taken up.

Mr. Inman moved to refer to the Committee on Agriculture.

Mr. Rockwell moved to amend by referring to the Printing Committee.

On motion of Mr. G. R. B. Hayes, the whole matter was laid on the table.

Mr. Shores offered a concurrent resolution asking a donation of lands in Siskiyou County.

Read first and second times and referred to the Committee on Federal Relations.

Mr. Young offered the following :

Resolved, That when a bill is referred to a delegation and reported upon, that subsequently it shall also be referred to a standing committee.

On motion of Mr. Munday, laid on the table.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
January 5th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, amended and adopted Assembly concurrent resolution granting B. W. Jenks, County Clerk of Klamath County, leave of absence from the State.

Also, passed Senate Bill No. 75—An Act to authorize the Board of Education of the City of Stockton to borrow money for school purposes.

CURTIS,
Assistant Secretary.

On motion of Mr. Walden, the message was sent to the Secretary of the Senate, to correct an omission, and subsequently returned, corrected.

Senate Bill No. 75, above reported was read first and second times and, on motion of Mr. Hubner, by unanimous consent, the rules were suspended, the bill read a third time and passed; title approved.

Assembly Concurrent Resolution No. 6, above reported—Senate amendment concurred in.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Ryan—An Act to amend an Act entitled an Act to amend an Act to provide for the promotion of corporations and investments of funds and savings, approved April eleventh, eighteen hundred and sixty-two, approved March thirty-first, eighteen hundred and sixty-six.

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

By Mr. Lambert—An Act to amend an Act concerning the Insane Asylum of California and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times and referred to the Hospital Committee.

By Mr. Griswold—An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof.

Read first and second times and referred to the Judiciary Committee.

By Mr. Romer—An Act to amend an Act entitled an Act concerning wills, passed April tenth, eighteen hundred and fifty.

Read first and second times and referred to the Judiciary Committee.

By Mr. Rockwell—An Act authorizing Bridget Stannah, administratrix of the estate of William Stannah, deceased, to sell the real estate belonging to said estate in the City and County of San Francisco, at public or private sale.

Read first and second times and referred to the Judiciary Committee.

By Mr. Koutz—An Act to repeal an Act entitled an Act for the relief of insolvent debtors and protection of creditors, approved May fourth, eighteen hundred and fifty-two, and all Acts amendatory thereof and supplementary thereto.

Read first and second times and referred to the Judiciary Committee.

By Mr. Lambert—An Act concerning proceedings in Courts of record in this State.

Read first and second times and referred to the Judiciary Committee.

By Mr. Fortune—An Act to remit taxes heretofore levied on money at interest, secured by mortgages or otherwise.

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

By Mr. Haile—An Act to grant the right of way for a railroad track within the corporate limits of the City of Vallejo, in the County of Solano, to Ed. McGottigan and Henry Conelly, their associates or assigns.

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

By Mr. Carothers—An Act granting to E. A. Mason and his assigns the right to construct and maintain a weir or fish trap in the Straits of Carquinez, in the County of Contra Costa.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Waldron—An Act to create a Bridge Fund in the County of Placer, and to authorize the levy of a tax therefor.

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

By Mr. Naphtaly—An Act concerning corporations for charitable and beneficial purposes.

Read first and second times and referred to the Committee on Public Morals.

GENERAL FILE.

Report of the Home for the care of the Inebriate of San Francisco.

Referred to the Committee on Ways and Means.

Assembly Bill No. 74—An Act to change the name of John Matthew Lynch.

Indefinitely postponed.

Assembly Bill No. 69—An Act to amend an Act entitled an Act to amend an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, approved April second, eighteen hundred and fifty-seven.

On motion of Mr. Gildea, an enacting clause was inserted in the bill.

Amended; amendment adopted; ordered engrossed.

Assembly Bill No. 6—An Act amendatory of and supplementary to an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six.

Amended.

[Mr. Biggs in the chair]

Amendments adopted; ordered engrossed.

Assembly Bill No. 22—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty eight.

Ordered engrossed.

Assembly Bill No. 17—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties

Ordered engrossed.

Assembly Bill No. 40—An Act to confirm order number eight hundred and eighty-three of the Board of Supervisors of the City and County of San Francisco.

Ordered engrossed.

Senate Bill No. 28—An Act concerning the office of Public Administrator in Napa County.

Read a third time and passed; title approved.

Assembly Concurrent Resolution No. 13—Granting Peter H. Peveler, County Clerk of Del Norte County, leave of absence.

Ordered engrossed.

Assembly Bill No. 80—An Act in relation to ferries and toll bridges in the County of Butte.

Rules suspended, bill considered engrossed, read a third time and passed.

At three o'clock and twenty minutes P. M., on motion of Mr. Murphy, of Del Norte, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, January 7th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

• PETITIONS.

Mr. Slicer presented a petition of citizens of Graniteville, Nevada County, in reference to the establishment of a mail route to that place. Received and referred to the Nevada delegation.

Mr. Murphy of Santa Clara presented a petition from the Sisters of Charity of St. Vincent's Roman Catholic Female Orphan Asylum, Santa Barbara County, asking an appropriation for their institution.

Received and referred to the Committee on Claims.

Mr. Escandon presented a petition from the Trustees of the Town of San Buenaventura, Santa Barbara County, asking that all the ordinances passed by them be legalized.

Received and referred to the Committee on Corporations.

REPORTS OF STANDING COMMITTEES.

Mr. Kelley, from the Committee on Agriculture, made the following report:

MR. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 21—An Act to repeal an Act entitled an Act to protect sheep and Cashmere and Angora goats against the ravages of dogs, approved March thirteenth, eighteen hundred and sixty-six—have had the bill under consideration, and report the same back and recommend its passage.

KELLEY, Chairman.

Mr. Rockwell, from the Committee on Commerce and Navigation, made the following reports:

MR. SPEAKER: The Committee on Commerce and Navigation, to whom was referred Assembly Concurrent Resolution No. 3—Relative to the building of a breakwater at Crescent City, have considered the same, and recommend its passage, with the following addition:

Resolved, That the Governor be requested to forward a copy of the above resolution to our Senators and Representatives in Congress.

ROCKWELL, Chairman

MR. SPEAKER: The Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 38—An Act providing for a preliminary

survey of the harbor of Santa Cruz and Salinas Slough, in Monterey Bay—have considered the same, amended it, and recommend its passage as amended.

The amendments are, to insert the "first of March," instead of "fifteenth of February," at the close of section two, and to fill the blank before "dollars," in section three, by inserting "five hundred."

ROCKWELL, Chairman.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: The Committee on Engrossment have examined and found correctly engrossed, Assembly Bill No. 67—An Act confirming certain resolutions and ordinances passed by the President and Trustees of San Diego.

Also, Assembly Bill No. 80—An Act in relation to ferries and toll bridges in the County of Butte.

MARTIN (of Butte), Chairman.

Mr. Henley of Sonoma, from the Committee on Federal Relations, made the following report:

Mr. SPEAKER: The Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 12—In regard to a mail route from Millville, Shasta County, to Fort Bidwell, Siskiyou County, and to establish Post-offices—have had the same under consideration, and report it back, with the recommendation that it be adopted.

HENLEY (of Sonoma), Chairman.

REPORTS OF SELECT COMMITTEES.

Mr. Mooney made the following report:

Mr. SPEAKER: We, the undersigned, a special committee, to whom was referred Assembly Bill No. 82—An Act to amend an Act to authorize the Board of Supervisors of Inyo County to levy a special tax for building purposes, approved January twenty-ninth, eighteen hundred and sixty-eight—having considered the same, respectfully report the same back without amendment, and recommend its passage.

JAMES S. MOONEY.
W. E. EICHELROTH.
FRANK YORK.

MOTIONS AND RESOLUTIONS.

Mr. Haile offered the following resolution:

Resolved, That, in honor to the memory of that noble patriot and statesman, Andrew Jackson, and the gallant officers and soldiers under him, and to commemorate the noble deeds which they performed, culminating in a glorious victory on the eighth of January, eighteen hundred and fifteen, over a foreign foe, when we adjourn this afternoon, we adjourn to meet on Monday next.

Amended, on motion of Mr. Mooney, to read "to meet on Monday next, at half-past one o'clock P. M."

Mr. Martin of Siskiyou offered the following as a substitute :

WHEREAS, The eighth day of January is the anniversary of the battle of New Orleans, which great event in our history crowned the American arms with imperishable glory ; therefore, be it

Resolved, That when this House adjourns to-day, it shall adjourn to Monday, the tenth instant, in honor of the battle of New Orleans, and the great General and statesman, Andrew Jackson, whose valor and genius enabled the American army to achieve that great victory.

Lost.

The resolution offered by Mr. Haile, as amended, was adopted.

On motion of Mr. Lambert, the following resolution was taken up :

Resolved, That five thousand copies of the Governor's message, transmitting the proposed Fifteenth Amendment to the Constitution of the United States, be printed for general distribution.

Mr. Murphy of Santa Clara moved to strike out " five thousand " and insert " two thousand five hundred " copies.

The resolution was temporarily laid on the table, on motion of Mr. Lambert.

Mr. Ryan offered the following :

Resolved, That the usual number of copies of Assembly Bill No 57, for an Act entitled an Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary regulations for the City and County of San Francisco, be printed.

Adopted.

Mr. Biggs offered the following resolution :

Resolved, That the Journal Clerk be and he is hereby authorized to employ an assistant in his office, with the per diem allowed by law to the Copying Clerks, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Additional Officers and Contingent Expenses.

Mr. Eichelroth offered the following :

Resolved, That W. C. Holt be and he is hereby appointed Assistant Journal Clerk of the Assembly, at a per diem equal to that allowed the Journal Clerk, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Contingent Expenses.

Mr. Fortune offered the following resolution :

Resolved, That John B. Kelley and Francis Giltner be and they are hereby appointed Assistant Copying Clerks, with a per diem of six dollars, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Contingent Expenses.

Mr. G. R. B. Hayes offered the following :

Resolved, That the Engrossing and Enrolling Clerks be and they are hereby authorized to appoint from time to time such assistants in their offices as the Committees on Engrossment and Enrolment, respectively, may deem necessary, with the per diem allowed by law to the Copying Clerks.

Mr. Ryan offered an amendment as follows: And after such committees have examined such Clerks as to their qualifications and fitness for said positions.

Amendment accepted.

Mr. G. R. B. Hayes moved to suspend the rules and place the resolution on its passage now.

Lost.

The resolution, as amended, was referred to the Committee on Additional Officers and Contingent Expenses.

[Speaker pro tem. in the chair.]

Mr. Inman offered the following :

Resolved, That E. W. Brown be and he hereby is appointed Copying Minute Clerk, whose duty it shall be to copy the journal of the House each day for the printer, at the same per diem allowed Copying Clerks, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Contingent Expenses.

Mr. Mooney moved to take from the table the resolution, in reference to the Chief Clerk's appointing an assistant Journal and Copying Clerk.

Lost.

NOTICES.

Notice of the introduction of bills were given as follows :

By Mr. Doss—An Act to enable the Board of Supervisors of Kern County to issue certain bonds for road purposes.

By Mr. Carothers—An Act to provide for the vaccination of the children of this State.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Lambert—An Act to amend an Act entitled an Act to amend an Act entitled an Act concerning crimes and punishment, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six.

Read first and second times and referred to the Judiciary Committee.

By Mr. Murphy of Del Norte—An Act to amend section one of an Act entitled an Act to amend an Act entitled an Act to fix the amount of official bonds of county officers in and for the Counties of Klamath and Del Norte, approved March twenty-sixth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Judiciary Committee.

By Mr. Finney—An Act for the protection of deer in the County of San Mateo.

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

By Mr. McMurry of El Dorado—An Act creating the office of Mail and Express Messenger of the Capitol, defining his duties and compensation therefor.

Read and referred to the Special Committee on Contingent Expenses.

By Mr. G. R. B. Hayes—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco

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

By Mr. Inman—An Act amendatory of an Act defining the rights of husband and wife, passed April seventeenth, eighteen hundred and fifty.

Read first and second times and referred to the Judiciary Committee

By Mr. Henley of Mendocino—An Act to provide for the construction of a wagon turnpike road from a point at or near Ukiah City, in Mendocino County, to a point at or near Cloverdale, in Sonoma County.

Read first and second times and referred to the delegations from Mendocino and Sonoma.

By Mr. Odell—An Act to regulate fees and salaries of certain officers in the County of Sacramento.

Read first and second times and referred to the Committee on Fees and Salaries.

By Mr. Naphtaly—An Act amendatory of and supplementary to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets, approved March thirtieth, eighteen hundred and sixty-eight.

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

By Mr. Johnson—An Act for the relief of Alpine County.

Read first and second times.

At half past twelve o'clock P. M., the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M., the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

INTRODUCTION OF BILLS CONTINUED.

The bill introduced by Mr. Johnson was referred to the Alpine and Amador delegations.

By Mr. Merritt—An Act to authorize Michael P. Duffey, Charles W. Scheidel, Theodore A. Coult and Caleb E. Wilcoxon, their associates and assigns, to construct and maintain a railroad in the City of Marysville, Yuba County, and the Town of Yuba City, Sutter County.

Read first and second times and referred to the Yuba and Sutter delegations.

GENERAL FILE.

Assembly Bill No. 16—An Act to repeal an Act entitled an Act concerning crimes and punishments.

Read a third time and, on motion of Mr. Hihn, recommitted to the Judiciary Committee, with special instructions.

Assembly Bill No. 46—An Act to amend an Act to authorize Lyman Leslie, Paul K. Hubbs, and their associates, successors and assigns, to

build and maintain a wharf at the City of Vallejo, in the County of Solano, approved March thirtieth, eighteen hundred and sixty-eight.

Read a third time and passed; title approved.

Mr. Stephens, from the Sacramento delegation, on leave, made the following report:

MR. SPEAKER: We, the undersigned, members of the Sacramento delegation, report back Assembly Bill No. 60—An Act to authorize the County of Sacramento to issue bonds—with an amendment to section one of said Act, by amending the seventh line of said section, by striking out immediately after the word “of,” which appears in said line, the word “seventy,” and inserting the word “eighty,” so as to make said line read as follows: “The aggregate the sum of eighty thousand.”

R. D. STEPHENS.

I. F. FREEMAN.

J. A. ODELL.

On motion of Mr. Stephens, the rules were suspended, and the above reported bill was taken up, amended, considered engrossed and ordered on file.

Assembly Bill No. 52—An Act to amend an Act entitled an Act to grant Larkin Lamb and his associates the right to construct and maintain a toll bridge across the Cosumnes River, in the Counties of Amador and El Dorado, approved March sixth, eighteen hundred and sixty-three.

Read a third time and passed; title approved.

Assembly Concurrent Resolution No. 5—To establish a mail route from Tuolumne City to Millerton.

Read a third time and passed.

Assembly Memorial No. 2—In regard to grazing lands.

Ordered printed, and made the special order for Friday, the fourteenth, at two o'clock P. M.

Mr. McMurry of Trinity, by leave, made the following report:

MR. SPEAKER: Your committee, to whom was referred Assembly Resolution No. 16, report the same back and recommend the following substitute:

Resolved, That the Engrossing Clerk be and is hereby authorized to appoint two assistants, at the same per diem allowed by law to the Copying Clerks, payable out of the Contingent Fund of the Assembly; *provided*, he shall have the consent of the Engrossing Committee to such appointment.

JOHN McMURRY,
Chairman.

Mr. McMurry of Trinity moved to adopt the resolution above reported.

Mr. Gildea rose to a point of order, stating the resolution was not now before the House for action.

Sustained.

Mr. George R. B. Hayes moved to suspend the rules in order to place the resolution on its passage.

Carried.

Substitute adopted; resolution, as amended, adopted.

Mr. Lambert moved to take from the table the concurrent resolution in reference to printing the Governor's message on the Fifteenth Amendment.

Carried.

Mr. Murphy of Santa Clara, by leave, withdrew his amendment.

The resolution providing for printing five thousand copies of the Governor's message was then adopted.

GENERAL FILE RESUMED.

Assembly Bill No. 92—An Act regulating the preparation of medicinal prescriptions and sale of certain drugs.

Passed on file to Monday next.

Assembly Bill No. 5—An Act for the relief of Patrick Campbell.

Ordered engrossed.

At three o'clock and twenty minutes p. m., Mr. Finney moved to adjourn.

Lost.

Assembly Bill No. 66—An Act for the relief of W. V. McGarvey.

Substitute adopted; ordered engrossed.

At three o'clock and twenty-five minutes p. m., on motion of Mr. Lambert, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, January 10th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of Friday last read and approved.

Mr. Calderwood was granted leave of absence for two days, and Messrs. Shoemaker, Thomas, Inman, Carothers, Lewelling, M. Hayes and G. R. B. Hayes, for one day.

PETITIONS.

Mr. McMurry of Trinity presented a petition asking an appropriation by the Legislature of California to certain persons named in it, residents of Trinity and Humboldt Counties, as remuneration for expenses incurred in the past by them in fitting out expeditions against hostile Indians known as the Crowfoot Band.

Received and referred to the Committee on Indian Affairs.

Mr. Escandon presented a petition of citizens and residents of the Town of San Buenaventura, Santa Barbara County, praying that a franchise may be granted the San Buenaventura Water Company to furnish said town with water.

Received and referred to the Committee on Corporations

REPORTS OF STANDING COMMITTEES.

Mr. Henley of Sonoma, Chairman of the Committee on Federal Relations, verbally reported back Assembly Concurrent Resolution No. 11, recommending its passage.

Mr. Horan, from the Committee on Claims, made the following reports :

MR. SPEAKER : Your committee, to whom was referred Assembly Bill No. 81—An Act to confirm certain orders passed by the Board of Supervisors of the City and County of San Francisco, and to authorize said Board to appropriate money for certain purposes—respectfully report the same back and recommend that it be referred to the delegation from San Francisco.

HORAN, Chairman.

MR. SPEAKER : Your committee to whom was referred the petition of the Sisters of Mercy, in behalf of the Roman Catholic Orphan Asylum of Santa Barbara, respectfully report the same back and recommend that it be referred to the Committee on Ways and Means.

HORAN, Chairman.

MR. SPEAKER : Your committee to whom was referred Assembly Bill No. 11—An Act for the relief of Green T. Martin—respectfully report the same back and recommend its passage.

HORAN, Chairman.

REPORT OF SELECT COMMITTEES.

Mr. Finney, from the San Mateo delegation, made the following report :

MR. SPEAKER : The delegation from San Mateo County desire to report back Assembly Bill No. 107—An Act for the protection of deer in the County of San Mateo—and recommend its passage

FINNEY, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Munday offered the following resolution :

Resolved, That Mr. Doss be and he is hereby added to the Committee on Education.

Adopted.

Mr. Young moved to take the resolution offered by him on the sixth instant, in relation to the reference of bills, from the table.

Carried.

The resolution reads as follows :

Resolved, That when a bill is referred to a delegation and reported upon, that subsequently it shall be referred to a standing committee.

Mr. Haile moved to amend by referring all bills to an appropriate standing committee.

Accepted.

On motion of Mr. Lambert the whole matter was indefinitely postponed.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER,
January 7th, 1870 }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, adopted Senate Concurrent Resolution No. 14—Relating to correcting Enrolled Bill No. 3—An Act in relation to the common schools of the City of Sacramento.

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
January 7th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, receded from its amendment to Assembly Bill No. 14—An Act to provide for purchasing postage stamps and express envelopes for members and officers of the Legislature.

Also, this day passed Senate Bill No. 41—An Act to amend section one of an Act entitled an Act to authorize the issue of bonds by the County of Santa Clara to complete the Court-house of said county and to erect a county jail, approved March twenty-fifth, eighteen hundred and sixty-eight.

Also, this day passed Senate Bill No. 33—An Act for the relief of L. P. Hall and Samuel J. Garrison.

CURTIS,
Assistant Secretary.

Senate concurrent resolution above reported concurred in.

Senate Bill No. 41, above reported, read first and second times and referred to the Santa Clara delegation.

Senate Bill No. 33, above reported, read first and second times and referred to the Committee on Claims.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. De Haven—An Act to provide for the relief and maintenance of the indigent sick of Humboldt County.

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

By Mr. King—An Act to prevent the loss of floating timbers.

Read first and second times and referred to the Committee on Internal Improvements

By Mr. Henley of Mendocino—An Act to authorize Lew Gerloch, and his associates and assigns, to construct and maintain a chute and moorings at Scott's Landing, on the Pacific Ocean, in Mendocino County, and collect tolls for the use thereof.

Read first and second times and ordered on general file.

By Mr. Murphy of Santa Clara—An Act to provide for the improvement of the rivers and streams in Santa Clara County.

Read first and second times and referred to the Judiciary Committee.

By Mr. Hihn—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Munday—An Act to amend an Act entitled an Act to protect sheep and lambs in this State.

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

By Mr. Lewelling—An Act to amend an Act entitled an Act defining the legal distance from each county seat to the Capital, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

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

By Mr. Naphthaly—An Act for the relief of James S. Houseman.

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

By Mr. Walden—An Act to authorize Robert McHenry, Administrator of the estate of Henry Langworthy, deceased, to sell the real estate of said estate.

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

Also, an Act to prevent the extension of the infectious disease among sheep, commonly called the scab.

Read first and second times and referred to the Committee on Agriculture

By Mr. Robinson—An Act to authorize the Wawoma Water Company to construct aqueducts over certain lands therein named, and to lay down water pipes in the public streets of the City of San Diego and Town of South San Diego.

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

By Mr. Escandon—An Act to incorporate the San Buenaventura Water Company.

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

By Mr. Shoemaker—An Act to amend section one hundred and twenty-four of the Act of May first, eighteen hundred and fifty-one, entitled an Act to regulate the estates of deceased persons.

Read first and second times and referred to the Judiciary Committee.

By Mr. Fryer—An Act to regulate an Act entitled an Act supple-

mentary to an Act to prevent the trespassing of animals upon private property, approved March thirty-first, eighteen hundred and fifty-five, approved May seventeenth, eighteen hundred and sixty-one.

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

GENERAL FILE.

Assembly Bill No. 67.—An Act confirming certain resolutions and ordinances passed by the President and Trustees of San Diego.

Read a third time and passed.

Assembly Bill No. 92.—An Act regulating the preparation of medicinal prescriptions and sale of certain drugs.

Passed on file for to-morrow.

Assembly Bill No. 37.—An Act to amend an Act entitled an Act to define and establish the boundaries of Mono County, approved March second, eighteen hundred and sixty-six.

Ordered engrossed.

Assembly Bill No. 60.—An Act to authorize the County of Sacramento to issue bonds.

Passed on the file, but subsequently, on motion of Mr. Stephens, taken up and read a third time.

Mr. Horan moved to recommit to the Sacramento delegation, with special instructions.

REPORT.

Mr. Ryan, from the Committee on Enrolment, made the following report.

Mr. SPEAKER: The Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Memorial No. 1—Memorializing Congress to order certain lands claimed by the Southern Pacific Railroad Company to be restored to settlement by pre-emption.

Also, Concurrent Resolution No. 6—Granting B. W. Jenks, County Clerk of Klamath County, leave of absence from the State.

Also, Assembly Bill No. 14—An Act to provide for purchasing postage stamps and express envelopes for members and officers of the Legislature.

And this day presented the same to the Governor for his approval.

RYAN, Chairman.

Assembly Bill No. 60 resumed.

Pending the discussion on the motion to refer with special instructions, at three o'clock and fifty-five minutes P. M., on motion of Mr. De Haven, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

• HOUSE OF ASSEMBLY,
Tuesday, January 11th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Messrs. Shores and George R. B. Hayes were granted leave of absence for one day each.

QUESTION OF PRIVILEGE.

Mr. Henley of Sonoma rose to a question of privilege, in relation to remarks made by him upon the question to print the Governor's message on the proposed Fifteenth Amendment; stating that certain Republican newspapers had misrepresented his views as then expressed.

PETITIONS.

Mr. Naphtaly presented the first annual report, together with a petition, of the San Francisco Society for the Prevention of Cruelty to Animals.

Received and referred to the Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

Mr. Newell, from the Committee on Roads and Highways, made the following report:

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred Senate Joint Resolution No. 3—Relative to declaring the public highway, from Santa Rosa to Sonoma, a mail route—have had the same under consideration, and report it back and recommend its passage.

NEWELL, Chairman.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

MR. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 69—An Act to amend an Act entitled an Act to amend an Act to regulate proceeding in criminal cases, passed May first, eighteen hundred and fifty-one, approved April second, eighteen hundred and fifty-seven.

Also, Assembly Bill No. 73—An Act to amend an Act entitled an Act to provide for the formation or corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

Also, Assembly Bill No. 17—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties.

Also, Assembly Bill No. 6—An Act amendatory of and supplementary to an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 22—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, substitute for Assembly Bill No. 66—An Act for the relief of W. V. McGarvey.

Also, Assembly Concurrent Resolution No. 13—Granting Peter H. Peveler, County Clerk of Del Norte County, leave of absence from this State for the period of six months, at such time as he may select during his term of office.

Also, Assembly Bill No. 40—An Act to confirm order number eight hundred and eighty-three of the Board of Supervisors of the City and County of San Francisco.

Also, Assembly Bill No. 5—An Act for the relief of Patrick Campbell.

Also, Assembly Bill No. 37—An Act to amend an Act entitled an Act to define and establish the boundaries of Mono County, approved March second, eighteen hundred and sixty-six.

Also, Assembly Bill No. 34—An Act concerning public roads and highways in the County of Monterey.

MARTIN (of Butte), Chairman.

Mr. Kelley, from the Committee on Agriculture, made the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 77—An Act to encourage the destruction of squirrels and gophers in the Counties of Alameda and Contra Costa, and to provide for a bounty for the same—have had the bill under consideration, and herewith report the same back with the following amendment, and recommend its passage: Amend section first by inserting the word "Yolo" after the word "Alameda," wherever it occurs in said section.

KELLEY, Chairman.

On motion of Mr. Fryer, the above reported bill was recommitted to the Committee on Agriculture.

Mr. Slicer, from the Nevada delegation, made the following report:

MR. SPEAKER: The Nevada delegator, to whom was referred a petition from the citizens of Graniteville, requesting the Senate and Assembly to pass concurrent resolutions instructing our Senators and requesting our Representatives in Congress to procure the establishment of a semi-weekly mail between Moore's Flat and Graniteville, respectfully report that we had the petition under consideration, report it back with the recommendation that the prayer of the petitioners be granted.

SLICER, for Delegation.

Mr. Henley of Sonoma, Chairman of the Committee on Federal Relations, made the following majority report:

MR. SPEAKER: Your Committee, to whom was referred Preamble and Resolutions No. 17, beg leave to report the same back and recommend its passage, and with the recommendation that twelve hundred copies of the same be printed.

HENLEY (of Sonoma), Chairman.

Mr. Waldron made a minority report upon the same subject.
[For report, see Appendix.]

REPORTS OF SELECT COMMITTEES.

Mr. Fortune, from the San Francisco delegation, made the following report:

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 10—An Act to alter the Judicial Districts, and to create the Eighteenth Judicial District—report that they have had said bill under consideration, and report as follows:

Assembly Bill No. 10—Creating a new Court, and Assembly Bill No. 12—Directing the transfer of certain cases from the County Court of San Francisco to said Eighteenth District Court—were introduced by the author in order to relieve the said County Court of a portion of its business. Your committee is impressed with the necessity of some legislation to accomplish said object, but whether it can be legally accomplished by the formation of said Eighteenth District Court is out of the province of this committee to decide. It is therefore recommended that Assembly Bill No. 10 be referred to the Judiciary Committee for examination.

FORTUNE, for Delegation.

Mr. McMurry of Trinity made the following report:

MR. SPEAKER: Your Committee on Additional Officers and Contingent Expenses, to whom was referred Resolutions Nos. 13, 14, 15 and 17, have had the same under consideration, and report the following substitute, and recommend its passage:

Resolved, That the Chief Clerk be and he is hereby authorized to appoint an Assistant Journal Clerk and two Assistant Copying Clerks, whose duty it shall be to copy the journal for the State Printer, and to do such other work as the Chief Clerk shall direct. Said assistants shall be allowed a per diem of six dollars, payable out of the Contingent Fund of the Assembly.

McMURRY, Chairman.

MOTIONS AND RESOLUTIONS.

Mr. De Haven offered a concurrent resolution, granting leave of absence to John A. Watson, County Clerk of Humboldt County, which was ordered to the general file.

Mr. Rockwell offered the following resolution:

Resolved, That Mr. Inman be and is hereby added to the Committee on Location of State Normal School.

On motion of Mr. Thomas, laid on the table.

Mr. Odell offered a resolution to appoint James Gilroy assistant Porter of the Assembly, which, under the rules, was referred to the Committee on Additional Officers and Contingent Expenses.

Mr. Naphtaly offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That the two Houses meet in joint convention, on Wednesday, January twelfth, eighteen hundred and seventy, at two P. M., for the purpose of electing a State Harbor Commissioner.

Adopted.

Mr. Lewelling offered a resolution to authorize the Speaker to appoint a standing committee of five members on State University.

Laid over one day, under the rule.

Mr. Slicer offered a concurrent resolution in reference to instructing our Senators and Representatives in Congress to use their influence to procure the establishment of a semi-weekly mail route from Moore's Flat to Graniteville, Nevada County.

Read first and second times and referred to the Committee on Federal Relations.

The resolution reported by the Committee on Additional Officers and Contingent Expenses was taken up.

Mr. Martin of Butte moved to adopt the resolution referred to the Committee, authorizing the Journal Clerk to appoint an assistant.

Lost.

Mr. Martin of Butte moved to amend the resolution authorizing the Chief Clerk to appoint, by substituting that the Speaker appoint.

Mr. Brown of Amador moved a division of the question.

A vote was taken to strike out the words "Chief Clerk," which was lost, on a division.

The resolution, as reported by the committee, was then adopted.

Mr. Shoemaker offered the following :

Resolved. That the Committee on Public Morals be instructed to report on Senate Bill No 2 to-morrow, January twelfth.

Adopted.

Mr. Hudson offered a preamble and resolutions in relation to Congressional reconstruction.

Read first and second times and referred to the Committee on Federal Relations.

On motion of Mr. Lambert, Assembly Bill No. 60, was ordered to the head of the general file for to day.

Mr. Fryer offered the following :

Resolved, That the Sergeant-at-Arms be instructed to put up in his room suitable conveniences to hang the overcoats and hats of the members of this House on.

Adopted.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
January 10th, 1870 }

Mr. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, under suspension of the rules, Senate Bill No. 139—An Act to appropriate money for contingent expenses of the Legislature at the eighteenth session thereof.

ROBERTS,
Secretary

Senate Bill No. 139, above reported, read first and second times, rules suspended, read a third time. Considered in Committee of the Whole.
[Speaker in the Chair.]

IN ASSEMBLY.

Bill reported back without amendment, and passage recommended.
The bill passed; title approved.

NOTICES.

Notices of the introduction of bills were given as follows:

By Mr. Rockwell—An Act relating to the Board of Education of the City and County of San Francisco, and more particularly defining its powers and duties

Also, an Act empowering said Board to pay the claim of William Cravins

Also, an Act for the relief of Patrick Creighton, James Brennan and Patrick Donoghue

By Mr. Rogers—An Act for the purpose of building a City Hall and Court-house in the City and County of San Francisco.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Satterwhite—An Act to authorize the County Treasurer of San Bernardino County to transfer certain funds.

Read first and second times and ordered to the general file.

By Mr. Haile—An Act to authorize James H. Thompson and William Stannus, and their associates, successors and assigns, to build and maintain a wharf at the City of Vallejo, in the County of Solano

Read first and second times and referred to the Committee on Commerce and Navigation.

Also, an Act to authorize Edward G. Rhodes, his associates, successors and assigns, to build and main a wharf at the foot of Yolo Avenue, in the City of Vallejo

Read first and second times and referred to the Committee on Commerce and Navigation

Also, an Act to authorize Michael S. Derwin and his associates and assigns to construct, maintain and use a wharf at the City of Vallejo, in the County of Solano

Read first and second times and referred to the Committee on Commerce and Navigation.

Also, an Act to grant the right to construct and maintain a wharf at the Town of Vallejo.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Thomas—An Act to change the principal place of business of the San Justo Homestead Association

Read first and second times and referred to the Santa Clara delegation

By Mr. Biggs—An Act to amend an Act entitled an Act to provide for the construction of the State Capitol in the City of Sacramento, approved March twenty-ninth, eighteen hundred and sixty

Read first and second times and referred to the Committee on Public Buildings.

By Mr. Naphtaly—An Act amendatory to an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Public Morals.

Also, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

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

By Mr. Haile—An Act to amend an Act entitled an Act to authorize the establishing of a steam ferry between Vallejo and Mare Island, in the County of Solano, approved March second, eighteen hundred and sixty-six.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Mooney—An Act authorizing John N. Dudleston and his assigns to construct and maintain a toll road in Mono County.

Read first and second times and referred to the Committee on Roads and Highways.

Also, an Act to authorize the Board of Supervisors of Mono County to transfer moneys from one fund to another.

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

Also an Act authorizing the Board of Supervisors of Mono County to levy a special tax for a Contingent Fund.

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

At half-past twelve o'clock P. M. the House took a recess

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

GENERAL FILE.

Assembly Bill No 60—An Act to authorize the County of Sacramento to issue bonds.

Mr. Murphy of Santa Clara moved to refer to the Hospital Committee.

Mr. Kelley moved the previous question.

Sustained.

The question to recommit was lost.

On the passage of the bill the ayes and noes were demanded by

Messrs. Duffy, Murphy of Santa Clara, and Shoemaker, and the bill passed, by the following vote:

AYES—Messrs Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Coronel, Crigler, Eichelroth, Escandon, Fortune, Freeman, Fryer, Green, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Inman, Kelley, King, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, Odell, Pool, Power, Robinson, Rockwell, Romer, Sammons, Satterwhite, Scarce, Shoemaker, Slicer, Stephens, Thomas, Thurston, Walden, Williams, York, Young and Mr. Speaker—65

NOES—Messrs. Duffy, Finney, Johnson and Waldron—4.

Title approved.

SENATE MESSAGE.

On motion of Mr Lambert, the following Senate message was taken up:

SENATE CHAMBER,
January 11th, 1870. }

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 80—An Act in relation to ferries and toll bridges in the County of Butte

Also, passed Senate Concurrent Resolution No 15—Relative to meeting in joint convention of the Senate and Assembly, for the purpose of electing a State Harbor Commissioner.

ROBERTS,
Secretary.

Senate Concurrent Resolution No. 15, above reported, was read and concurred in.

Assembly Bill No 92—An Act regulating the preparation of medicinal prescriptions and sale of certain drugs.

Referred to the Committee on State Hospitals.

At three o'clock and five minutes P. M. Mr. Carothers moved to adjourn.

Lost.

Assembly Bill No. 25—An Act to pay certain outstanding indebtedness of the County of Mono, incurred prior to the segregation of said county by virtue of the Act approved March twenty-sixth, eighteen hundred and sixty-one, to ascertain and mark a portion of the eastern boundary of the State.

On motion of Mr. Mooney, referred back to the Committee on Claims.
[Mr. Brown of Amador in the chair.]

Senate Bill No 77—An Act to provide for the relief and maintenance of the indigent sick of Klamath County.

Read a third time and passed; title approved.

At three o'clock and thirty minutes P. M., on motion of Mr. Haile, the House adjourned

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
 Wednesday, January 12th, 1870. }

House met pursuant to adjournment

Speaker in the chair.

Roll called

Quorum present

Prayer by the Chaplain.

Journal of yesterday read and approved

Mr. Shores was granted leave of absence for one day, on account of sickness; and Mr. Calderwood for one day

PETITION.

Mr. Griswold presented a petition and protest of citizens of San Francisco, property owners residing in Larkin street, against granting a franchise by which steam cars may be used in said street

Received and referred to the San Francisco delegation.

REPORTS OF STANDING COMMITTEES.

Mr. Eichelroth, from the Committee on State Hospitals, made the following reports:

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 116—An Act to provide for the relief and maintenance of the indigent sick of Humboldt County—have had the same under consideration, beg leave to report the same back and to recommend its passage, without amendment

EICHELROTH, Chairman

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 57—An Act to establish a quarantine, etc., for the City of San Francisco—beg leave to report the same back and recommend its passage, with the following amendments:

Section two, after the words "who shall be," insert "elected by the Legislature for the term of two years"

Section six, to strike out, after the word "appoint," "a Deputy Health Officer, who shall be a physician in good standing"

Section seven, strike out "Deputy Health Officer, two thousand dollars per annum;" after the words "two Health Inspectors," strike out the words "one thousand two hundred dollars," and insert "one thousand five hundred dollars;" also, strike out, after the words "one Market Inspector," "one thousand two hundred dollars," and insert "one thousand five hundred dollars."

EICHELROTH, Chairman

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 87, beg leave to report the same back, with

the recommendation to have it referred to the Judiciary Committee, as it in our opinion contains provisions which are unconstitutional.

EICHELROTH, Chairman.

Mr. Doss, from the Committee on State Hospitals, submitted the following reports :

Mr. SPEAKER : A majority of your Committee on State Hospitals, to whom was referred Assembly Bill No. 95, beg leave to report the same back and recommend its passage.

DOSS,
FRYER,
GRISWOLD,
THOMAS.

Mr. SPEAKER : A minority of your Committee on State Hospitals, to whom was referred Assembly Bill No. 95, beg leave to report on the same, and ask a postponement of its passage until your committee shall have visited asylums and hospitals.

EICHELROTH,
THURSTON,
CAROTHERS.

Mr. Lambert, from the Committee on Ways and Means, made the following report :

Mr. SPEAKER : The Committee on Ways and Means, to whom was referred Assembly Bill No. 58—An Act to repeal an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to authorize the Board of Supervisors of Humboldt County to levy a special tax for certain purposes, and to provide for the collection of the same, approved April eighteenth, eighteen hundred and fifty-seven, approved February eleventh, eighteen hundred and fifty-eight—have had the same under consideration and herewith report the bill back with a substitute, and recommend the adoption and passage of the substitute.

LAMBERT, Chairman.

Mr. Hubner, from the Committee on Public Morals, made the following report :

Mr. SPEAKER : The Committee on Public Morals, to whom was referred Senate Bill No. 2—An Act entitled an Act to repeal an Act prohibiting the carrying of concealed weapons—report that we have had said bill under consideration, but deem it prudent not to repeal all of said Act, neither do we deem it advisable to let said Act stand and remain as it now is, but we report said bill back with a substitute thereto, by and through which law abiding and peaceable citizens will be allowed to carry such weapons, while others are not.

HUBNER, Chairman.

Mr. Kelley, from the Committee on Agriculture, made the following report :

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 121—An Act to amend an Act entitled an Act to protect sheep and lambs in this State—have had the bill under consideration and report the same back and recommend its passage.

Also, Assembly Bill No. 124—An Act to prevent the extension of the infectious disease among sheep, commonly called the scab. The committee think the bill would be impracticable and unjust, and therefore recommend it be indefinitely postponed.

KELLEY, Chairman.

Mr. Henley of Sonoma, from the Committee on Federal Relations, made the following report:

MR. SPEAKER: The Committee on Federal Relations, to whom was referred the proposed Fifteenth Amendment to the Constitution of the United States, beg leave to report the same back, with a recommendation that it be rejected.

HENLEY (of Sonoma), Chairman.

On motion of Mr. Henley of Sonoma, the Governor's message, submitting the proposed Fifteenth Amendment to the Constitution, was made the special order for Tuesday next, the eighteenth instant, at two o'clock P. M.

At eleven o'clock and thirty-five minutes A. M., on motion of Mr. Gildea, the House took a recess until five minutes before twelve o'clock.

REASSEMBLED

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

Speaker in the chair.

Roll called.

Quorum present.

RESOLUTION.

Mr. Gildea offered the following:

Resolved, That the Clerk be directed to inform the Senate that the Assembly is ready to receive the Senators in Joint Assembly, for the purpose of electing a State Harbor Commissioner.

Adopted.

PROCEEDINGS IN JOINT CONVENTION TO ELECT A STATE HARBOR COMMISSIONER

The hour of twelve o'clock M. having arrived, the Senators appeared and were seated.

The convention was called to order by the President of the Senate, in conjunction with the Speaker of the House.

The President of the Senate directed the Secretary to call the roll of the Senate, and the following Senators responded:

Messrs. Banyard, Beach, Betge, Burnett, Chappell, Comte, Conly, Conn, Curtis, Farley, Fowler, Green, Gwin, Hager, Hunter, Hutchings, Irwin, Kincaid, Larkin, Lawrence, Lewis, MacLay, Mandeville, McDougall,

Minis, Morrill, Murch, O'Connor, Orr, Pendegast, Perkins, Roberts, Saunders, Tompkins, Turner, Tweed, Wand, Wilson and Wing

The Speaker directed the Chief Clerk to call the roll of the Assembly, and the following members responded :

Messrs Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Coronel, Crigler, DeHaven, Doss, Duffy, Eichelroth, Escandon, Finney, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Inman, Johnson, Kelley, King, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Power, Robinson, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Shoemaker, Shier, Stephens, Thomas, Thurston, Walden, Waldron, Williams, York, Young and Mr. Speaker.

The President of the Senate directed the resolution authorizing a joint convention to be read, which reads as follows :

Resolved by the Senate, the Assembly concurring, That the Senate and Assembly meet in joint convention in the Assembly Chamber, on Wednesday, January twelfth, eighteen hundred and seventy, at twelve o'clock M., for the purpose of electing a State Harbor Commissioner.

Nominations being in order, Mr. Beach nominated S. S. Tilton, of San Francisco.

Mr. Burnett nominated Jasper O'Farrell, of Sonoma.

On motion, the nominations closed and the rolls were called

The Senate roll was called, and each Senator present announced his choice, as follows :

| Senators. | Jasper O'Farrell | S. S. Tilton. |
|-----------------|------------------|---------------|
| Banvard | 1 | ..... |
| Beach | | 1 |
| Betge | 1 | ..... |
| Burnett | 1 | ..... |
| Chappell | | 1 |
| Comte | 1 | ..... |
| Conly | | 1 |
| Conn | 1 | ..... |
| Curtis | 1 | ..... |
| Farley | 1 | ..... |
| Fowler | 1 | ..... |
| Green | | 1 |
| Gwin | 1 | ..... |
| Hager | 1 | ..... |
| Hunter | 1 | ..... |
| Hutchings | 1 | ..... |

| Senators. | Jaspar O'Farrell | S. S. Tilton. |
|-----------------|------------------|---------------|
| Irwin..... | 1 | ..... |
| Kincaid..... | 1 | ..... |
| Larkin..... | 1 | ..... |
| Lawrence..... | 1 | ..... |
| Lewis..... | 1 | ..... |
| Maclay..... | 1 | ..... |
| Mandeville..... | 1 | ..... |
| McDougall..... | 1 | ..... |
| Minis..... | 1 | ..... |
| Morrill..... | 1 | ..... |
| Murch..... | ..... | 1 |
| O'Connor..... | 1 | ..... |
| Orr..... | ..... | 1 |
| Pendegast..... | 1 | ..... |
| Perkins..... | ..... | 1 |
| Roberts..... | ..... | 1 |
| Saunders..... | 1 | ..... |
| Tompkins..... | ..... | 1 |
| Turner..... | ..... | 1 |
| Tweed..... | ..... | 1 |
| Wand..... | 1 | ..... |
| Wilson..... | 1 | ..... |
| Wing..... | ..... | 1 |
| Totals..... | 27 | 12 |

The Assembly roll was called, and each member of that body announced his choice, as follows:

| Assemblymen. | Jaspar O'Farrell. | S. S. Tilton. |
|----------------------|-------------------|---------------|
| Andrews..... | 1 | ..... |
| Appling..... | 1 | ..... |
| Berry..... | 1 | ..... |
| Biggs..... | 1 | ..... |
| Blankenship..... | 1 | ..... |
| Brown of Amador..... | 1 | ..... |
| Brown of Yuba..... | 1 | ..... |
| Carothers..... | ..... | 1 |
| Coronel..... | 1 | ..... |
| Crigler..... | 1 | ..... |
| DeHaven..... | ..... | 1 |
| Doss..... | 1 | ..... |
| Duffy..... | ..... | 1 |
| Eichelroth..... | 1 | ..... |
| Escandon..... | 1 | ..... |
| Finney..... | ..... | 1 |
| Fortune..... | 1 | ..... |

| Assemblymen. | Jaspar O'Farrell. | S. S. Tilton. |
|---------------------------------------|-------------------|---------------|
| Freeman | 1 | ..... |
| Fryer..... | 1 | ..... |
| Gildea..... | 1 | ..... |
| Green | 1 | ..... |
| Griswold..... | 1 | ..... |
| Haile..... | 1 | ..... |
| Hayes, G. R. B..... | 1 | ..... |
| Henley of Mendocino..... | 1 | ..... |
| Henley of Sonoma | 1 | ..... |
| Hihn..... | 1 | ..... |
| Horan..... | 1 | ..... |
| Hubner..... | 1 | ..... |
| Hudson | 1 | ..... |
| Inman..... | 1 | ..... |
| Johnson..... | 1 | ..... |
| Kelley..... | 1 | ..... |
| King..... | 1 | ..... |
| Koutz | 1 | 1 |
| Lambert..... | 1 | ..... |
| Lewelling..... | 1 | 1 |
| Martin of Butte..... | 1 | ..... |
| Martin of Siskiyou | 1 | ..... |
| McClaskey..... | 1 | ..... |
| McMillan | 1 | ..... |
| McMurry of El Dorado..... | 1 | ..... |
| McMurry of Trinity..... | 1 | ..... |
| Merritt..... | 1 | ..... |
| Miller of El Dorado | 1 | ..... |
| Miller of Marin..... | 1 | ..... |
| Mooney..... | 1 | ..... |
| Moynihan..... | 1 | ..... |
| Munday..... | 1 | ..... |
| Murphy of Del Norte and Klamath | 1 | ..... |
| Murphy of Santa Clara..... | 1 | ..... |
| Naphtaly..... | 1 | ..... |
| Newell..... | 1 | ..... |
| Oates | 1 | ..... |
| O'Connell | 1 | ..... |
| Odell..... | 1 | ..... |
| Pool | 1 | ..... |
| Power..... | 1 | 1 |
| Robinson | 1 | ..... |
| Rockwell..... | 1 | ..... |
| Rogers..... | 1 | ..... |
| Romer | 1 | ..... |
| Ryan..... | 1 | ..... |
| Sammons | 1 | 1 |
| Satterwhite..... | 1 | ..... |
| Searce..... | 1 | ..... |

| Assemblymen. | Jasper O'Farrell. | S. S. Tilton. |
|-----------------|-------------------|---------------|
| Jhoemaker | 1 | ..... |
| Slicer | 1 | ..... |
| Stephens | 1 | ..... |
| Thomas..... | 1 | ..... |
| Thurston | 1 | ..... |
| Walden..... | 1 | ..... |
| Waldron ..... | ..... | 1 |
| Williams ..... | ..... | 1 |
| York..... | ..... | 1 |
| Young | 1 | ..... |
| Totals..... | 65 | 11 |

Whole number of votes cast.....115
 Necessary to a choice..... 58
 Jasper O'Farrell received..... 92
 S. S. Tilton received..... 23 .

Whereupon the President announced that Jasper O'Farrell, having received a majority of all the votes cast (a majority of all the members elected to both Houses being present and voting), was duly elected State Harbor Commissioner for the term of four years and until his successor is elected and qualified, to succeed S. S. Tilton.

Journal of the joint convention read and approved.

At twelve o'clock and forty minutes P M, on motion of Mr. Mandeville, the joint convention adjourned.

The House took a recess.

REASSEMBLED.

At half-past one o'clock the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

[Mr. Martin of Butte in the chair.]

REPORTS OF SELECT COMMITTEES.

Mr. Munday, from the Mendocino and Sonoma delegations made the following report :

MR. SPEAKER : The delegation from Mendocino and Sonoma Counties, to whom was referred Assembly Bill No. 111, beg leave to report the same back and recommend its passage.

MUNDAY, for Delegation.

Mr. Thomas, from the Santa Clara delegation, made the following report :

Mr SPEAKER: The Santa Clara delegation having duly considered Assembly Bill No. 135—report the same back to this House and recommend its immediate passage.

B. D. MURPHY,
W. B. SHOEMAKER.
T. R. THOMAS.

On motion of Mr. Thomas, the rules were suspended to consider the above reported bill now.

Mr. Murphy of Santa Clara moved to further suspend the rules, to consider the bill engrossed and place it on its final passage.

Carried.

Read a third time and passed; title approved.

Mr. Merritt, from the Yuba and Sutter delegations, made the following report:

Mr. SPEAKER: The Yuba and Sutter delegations, to whom was referred Assembly Bill No. 115—An Act to authorize Michael C. Duffley, Charles W. Scheidel, Theodore A. Coult and Caleb E. Wilcoxson, and their associates and assigns, to construct and maintain a railroad in the City of Marysville, Yuba County, and the Town of Yuba City, Sutter county—respectfully report that they have had said bill under consideration and report the same back with an amendment, and recommend the passage of the bill as amended.

MERRITT, for Delegations.

MOTIONS AND RESOLUTIONS.

Mr. Stephens offered the following resolution:

Resolved, That S W. Perry be and is hereby appointed a Porter for the Clerk's rooms of the Assembly, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly, to take effect from and after January first, eighteen hundred and seventy.

Mr. Stephens moved to suspend the rules and consider the resolution now.

Lost.

The resolution was referred to the Committee on Contingent Expenses.

Mr. Blankenship offered the following resolution:

Resolved, That standing rule number one of the Assembly be amended by striking out the word "eleven," in the first line, and inserting "ten."

Laid over one day, under the rules.

Mr. Rockwell moved to take from the table the resolution in reference to printing the report of the State Agricultural Society.

Lost.

Mr. Lewelling move to take up the resolution offered by him on yesterday, in reference to appointing a Standing Committee on State University.

On motion of Mr. Martin of Butte, the whole matter was indefinitely postponed.

The resolution to print one thousand two hundred copies of the pre-

amble and resolutions congratulating the people of the State of Tennessee on the rejection of the proposed fifteenth amendment to the Constitution of the United States, was taken up.

Mr. G. R. B. Hayes moved to lay on the table.

Lost.

Mr. Finney moved to amend the motion to print by adding the minority report.

Mr. Gildea moved to lay on the table.

Mr. Slicer moved to suspend the rules for the purpose of taking up the original resolution for final action on the same.

The ayes and noes were demanded by Messrs. Lambert, Doss, and G. R. B. Hayes, and the House refused, by the following vote, not two-thirds voting in the affirmative :

AYES.—Messrs. Appling, Berry, Blankenship, Coronel, Doss, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Johnson, Kelley, King, Lambert, Martin of Siskiyou, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Munday, Newell, Pool, Rockwell, Ryan, Satterwhite, Scarce, Slicer, Stephens, Thurston, Walden, Young and Mr. Speaker—41.

NOES.—Messrs. Andrews, Brown of Yuba, Carothers, De Haven, Duffy, Finney, Griswold, G. R. B. Hayes, Hihn, Inman, Koutz, Lewelling, Martin of Butte, McClaskey, Merritt, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Power, Robinson, Sammons, Waldron, Williams and York—24.

Mr. Andrews offered a resolution that the usual number of copies of Assembly Concurrent Resolution No. 17 be printed.

Mr. Finney moved to amend by adding the minority report.

Mr. Doss moved to amend the amendment by striking out "the usual number and minority," and inserting "fifteen thousand of the majority report."

Mr. Murphy of Del Norte moved to lay the resolution and amendments on the table.

Carried.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER, }
January 11th, 1870. }

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on yesterday, passed Senate Bill No. 122—An Act to raise a fund for the improvement of Napa City.

Also, passed Senate Bill No. 51—An Act to establish and define the powers and duties of the Board of Education of the City of Petaluma.

Also, this day concurred in Assembly Concurrent Resolution No. 15—relative to printing the Governor's message.

●URTIS,
Assistant Secretary

SENATE CHAMBER,
January 12th, 1870. }

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on yesterday, passed Senate Bill No. 92—An Act for the incorporation of the City of Anaheim

Also, passed Senate Bill No. 105—An Act to amend an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

Also, passed Senate Bill No. 65—An Act to amend an Act entitled an Act concerning agricultural societies, approved March twelfth, eighteen hundred and fifty-nine.

CURTIS,
Assistant Clerk.

Senate Bill No. 122, above reported, was read first and second times and referred to the Lake and Napa delegation.

Senate Bill No. 51, above reported, was read first and second times and referred to the Committee on Education.

Senate Bill No. 92, above reported, was read first and second times and referred to the Committee on Corporations.

Senate Bill No. 105, above reported, was read first and second times and referred to the Committee on Corporations.

Senate Bill No. 65, above reported, was read first and second times and referred to the Committee on Agriculture.

NOTICES.

Notices of the introduction of bills were given as follows:

By Mr. Duffy—An Act to provide for the purchase or erection of a gubernatorial residence in the City of Sacramento.

By Mr. Murphy of Del Norte—An Act amendatory of and supplemental to an Act entitled an Act to prevent the sale of firearms and ammunition to Indians in this State, approved March twenty-fourth, eighteen hundred and fifty-four.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. McMillan—An Act to amend an Act entitled an Act to regulate proceedings in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

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

By Mr. Lambert, at the request of Mr. Crigler—An Act to locate the county seat for the County of Lake.

Read first and second times and referred to the Committee on Counties and County Boundaries

By Mr. Stephens—An Act to amend an Act entitled an Act to regulate fees of office, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Fees and Salaries

By Mr. G. R. B. Hayes—An Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.
 By Mr. Henley of Mendocino—An Act to authorize Morton Bourn to construct and maintain a wharf and chute at Brown's Landing, on the Pacific Ocean, in Mendocino County.

Read first and second times and ordered on general file.

By Mr. Ryan—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof.

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

By Mr. Escandon—An Act to authorize W. S. Choffee, Marcus Harloe, Victor Ustus Austegué, Frank Molleda José de Arnaz, to build a wharf at San Buenaventura, in the County of Santa Barbara.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Hudson—An Act to amend an Act entitled an Act to provide for the appointment of Notaries Public and define their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Read first and second times and referred to the Judiciary Committee.

By Mr. Rockwell—An Act empowering the Board of Education of the City and County of San Francisco to pay the claim of William Craine.

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

Also, an Act for the relief of Patrick Creighton, James Brennan and Patrick Donoghue.

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

Also, an Act relating to the Board of Education of the City and County of San Francisco, and more particularly defining its powers and duties.

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

By Mr. Naphtaly (by request)—An Act to ratify and confirm certain ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco, and proceedings had thereunder.

Read first and second times and referred to the Judiciary Committee.

By Mr. Inman—An Act to amend an Act to separate the office of County Recorder from that of County Clerk, in the County of Alameda, and to provide for the election of a Recorder therein, approved March thirtieth, eighteen hundred and sixty-eight.

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

By Mr. Lambert—An Act to authorize the construction and maintenance of a wagon road between Indian Valley and Sierra Valley, in the County of Plumas.

Read first and second times and referred to the Committee on Roads and Highways

By Mr. Appling—An Act to authorize the Board of Supervisors of Fresno County to borrow certain moneys from the Swamp Land Fund.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands

GENERAL FILE.

Assembly Bill No. 69—An Act to amend an Act entitled an Act to amend an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, approved April second, eighteen hundred and fifty-seven—passed on the file.

On motion of Mr. Murphy of Del Norte, the rules were suspended to take up Senate Bill No. 78—An Act to provide for the payment of war-rants against the Hospital Fund of Klamath County.

Read a third time and passed; title approved.

At three o'clock and thirty minutes p. m. Mr. Fortune moved to adjourn.

Lost.

Assembly Bill No. 73—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

Read a third time and passed; title approved.

Assembly Bill No. 17—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties.

Read a third time and passed; title approved.

Assembly Bill No. 6—An Act amendatory of and supplementary to an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six.

Read a third time and passed; title approved.

Assembly Bill No. 22—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read a third time and passed; title approved.

At three o'clock and forty-five minutes p. m. Mr. Doss moved to adjourn.

Lost.

Assembly Bill No. 66—An Act for the relief of W. V. McGarvey.

Read a third time and passed; title approved.

At three o'clock and fifty minutes p. m. Mr. Stephens moved to adjourn.

Lost.

Assembly Concurrent Resolution No. 13—Granting Peter H. Peveler, County Clerk of Del Norte County, leave of absence.

Read a third time and passed.

At three o'clock and fifty-two minutes p. m. Mr. Johnson moved to adjourn.

Lost.

Assembly Bill No. 40—An Act to confirm order number eight hundred and eighty-three of the Board of Supervisors of the City and County of San Francisco.

Read a third time and passed; title approved.

At three o'clock and fifty-three minutes p. m. Mr. York moved to adjourn.

Lost.

Assembly Bill No. 5—An Act for the relief of Patrick Campbell—passed on the file.

Assembly Bill No. 37—An Act to amend an Act entitled an Act to define and establish the boundaries of Mono County, approved March second, eighteen hundred and sixty-six.

Read a third time and passed; title approved.

Assembly Bill No. 34—An Act concerning roads and highways in the County of Monterey.

Mr. Murphy of Santa Clara called for the reading of the bill.

Mr. Eichelroth moved to dispense with the further reading.

The Chair decided that any member had a right to call for the reading of a bill, and that was now in order.

Mr. Doss appealed from the decision of the Chair, stating the motion to dispense with the reading was in order.

On the question of appeal, the vote was taken, and the Chair sustained.

At four o'clock and five minutes P M, on motion of Mr. Moynihan, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
Thursday, January 12th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Messrs. Shores, Biggs and Johnson, were granted indefinite leave of absence, on account of sickness; Mr. Crigler for one day, on account of indisposition, and Mr. Coroneel for two days.

The Committee on State Normal School were granted indefinite leave of absence.

PETITIONS.

Mr. Naphtaly presented a petition from Judges and members of the bar of San Francisco, asking the passage of a bill relieving the County Court of San Francisco of a portion of its business.

Received and ordered on file, to be taken up when the bill referred to comes up for action.

Mr. Lambert, on behalf of Mr. Crigler, presented a petition from voters of Lake County, asking that the question as to location of the county seat be submitted to the people, to be voted on, on the first Monday of May, eighteen hundred and seventy

Received and referred to the Committee on Counties and County Boundaries

Mr. Thomas presented a communication and resolution from the Mayor and Common Council of San José, tendering Market Square, of that city, for the erection of buildings for a State Normal School.

Received and referred to the Committee on State Normal School.

REPORTS OF STANDING COMMITTEES.

Mr. Naphtaly, from the Judiciary Committee, made the following reports:

Mr. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 88—An Act to amend an Act to regulate proceedings in civil cases in the Court of justice of this State, approved April twenty-ninth, eighteen hundred and sixty-one—respectfully report that they have had said bill under consideration, and report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 10—An Act to alter the judicial districts and to create the Eighteenth Judicial District—and respectfully report the back, and recommend the passage of the bill.

They have also considered Assembly Bill No. 65—An Act to amend an Act entitled an Act respecting the Trustees of San Diego, approved April twenty-eighth, eighteen hundred and fifty-two—and respectfully report the same back, and recommend the passage of the bill.

They have also considered Assembly Bill No. 12—An Act amendatory of and supplementary to an Act to regulate criminal cases, passed May first, eighteen hundred and fifty-one, and all Acts amendatory thereof—and respectfully report the same back, and recommend the passage of the bill.

They have also considered Assembly Bill No. 61—An Act to amend an Act concerning crimes and punishments—and respectfully report the same back, and recommend the passage of the bill.

They have also considered Assembly Bill No. 125—An Act to authorize Robert McHenry, administrator of the estate of Henry Langworthy, deceased, to sell the real estate of said estate—and report the same back, and recommend the indefinite postponement of the bill.

They have also considered Assembly Bill No. 26—An Act to empower Charles A. Yancy, guardian of Minnie, Augusta and William Block, minors, to sell certain real estate herein named—and report the same back, and recommend the indefinite postponement of the bill.

They have also considered Assembly Bill No. 101—An Act to authorize Bridget Stannah, administratrix of the estate of William Stannah, deceased, to sell the real estate belonging to said estate in the City and County of San Francisco, at public or private sale—and report the same back, and recommend the indefinite postponement of the bill.

NAPHTALY, Chairman.

Mr. SPEAKER: The Committee on Judiciary, to whom was referred Assembly Bill No. 113—An Act amendatory of and supplemental to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets, approved March thirtieth, eighteen hundred and sixty-eight—report that they have duly considered said bill, and recommend the passage of the bill amended.

NAPHTALY, Chairman.

Mr. Geo. R. B. Hayes gave notice that, by leave of the House, he would to-morrow submit a minority report from the same committee, in reference to the above mentioned bill.

Mr. Horan, from the Committee on Claims, made the following report:

Mr. SPEAKER: Your committee, to whom was referred back Assembly Bill No. 25—An Act to pay certain outstanding indebtedness of the

County of Mono, incurred prior to the segregation of said county, by virtue of the Act approved March twenty-sixth, eighteen hundred and sixty-one, to ascertain and mark a portion of the eastern boundary of this State—respectfully report the same back, and recommend its passage, with the amendments thereto attached.

HORAN, Chairman.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 60—An Act to authorize the County of Sacramento to issue bonds.

Also, Assembly Bill No. 135—An Act to change the principal place of business of the San Justo Homestead Association.

MARTIN (of Butte), Chairman.

Mr. Kelley, from the Committee on Agriculture, made the following report:

Mr. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 129—An Act to repeal an Act entitled an Act supplementary to an Act to prevent the trespassing of animals upon private property, approved March thirty-first, eighteen hundred and fifty-five—have had the same under consideration and report it back and recommend its passage.

Also, Assembly Bill No. 77, which was re-referred to said committee with instructions to amend, have had the same under consideration, and amended by inserting the Counties of Fresno, Los Angeles, Stanislaus and Yolo, and recommend the passage of the bill as amended.

KELLEY, Chairman.

REPORT OF SELECT COMMITTEE

Mr. Power, from the Placer delegation, made the following report:

Mr. SPEAKER: The Placer delegation, to whom was referred Assembly Bill No. 102—An Act to create a Bridge Fund in the County of Placer—beg leave to report the same back and recommend its passage

POWER, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 13th, 1870. }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 14—An Act to provide for purchasing postage stamps and express envelops for members and officers of the Legislature.

H. H. HAIGHT, Governor.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Eichelroth—An Act in relation to the assessment of property in Tuolumne County for the year A. D. eighteen hundred and sixty-nine.

Read first and second times, rules suspended by unanimous consent, considered engrossed, read a third time and passed.

Mr. Blankenship moved to suspend the rules in order to take up the resolution in relation to amending rule number one of the Assembly

Lost.

By Mr. Griswold—An Act to protect and encourage the production and sale of pure and wholesome milk, and to prohibit and punish the production or sale of unwholesome or adulterated milk

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

By Mr. Miller of El Dorado—An Act to protect the people of the State of California from the evils of Asiatic immigration.

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

By Mr. Eichelroth—An Act to amend an Act entitled an Act concerning the Insane Asylum of the State of California, and to levy a tax therefor, approved April twenty-fifth, A. D. eighteen hundred and sixty-three, as amended by subsequent Acts.

Read first and second times and referred to the Hospital Committee.

By Mr. King—An Act to authorize E. J. Brickell and his associates and assigns to improve the channel of the Truckee River, from its source to the Town of Truckee, and to erect flood gates therein, and collect tolls.

Read first and second times and referred to the Placer and Nevada delegations.

By Mr. Scarce—An Act to repeal an Act entitled an Act concerning hogs running at large in the Counties of Colusa, Tehama, Butte, Sonoma and Napa, approved March twenty-sixth, eighteen hundred and fifty-seven, so far as said Act applies to the Counties of Colusa and Tehama.

Read first and second times and ordered to the general file.

By Mr. Naphtaly—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the various Acts amendatory and supplementary thereof.

Read first and second times and referred to the Judiciary Committee

REPORT.

Mr. Ryan, from the Committee on Enrolment made the following report:

MR. SPEAKER: The Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 80—An Act in relation to ferries and toll bridges in the County of Butte

And this day, at eleven o'clock and thirty minutes A. M., presented the same to the Governor for his approval.

RYAN, Chairman.

GENERAL FILE.

On motion of Mr. Blankenship, Assembly Bill No. 34—An Act concerning roads and highways in the County of Monterey—was ordered to the top of the file for to-day, and was now taken up.

Read a third time and passed; title approved.

Assembly Bill No. 69—An Act to amend an Act entitled an Act to amend an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, approved April second, eighteen hundred and fifty-seven.

Withdrawn by Mr. De Haven, the author of the bill, by leave.

Assembly Bill No. 5—An Act for the relief of Patrick Campbell.

Read a third time and passed; title approved.

Assembly Bill No. 43—An Act to grant the right to construct and maintain a bridge and ferry across Russian River, and to open a public highway thereto.

Ordered engrossed.

Assembly Bill No. 21—An Act to repeal an Act entitled an Act to protect sheep, Cashmere and Angora goats against the ravages of dogs, approved March thirteenth, eighteen hundred and sixty-six.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker pro tem. in the chair.

Roll called

Quorum present.

GENERAL FILE RESUMED.

Assembly Bill No. 21 resumed.

On motion of Mr. Henley of Mendocino, the bill was referred back to the Committee on Agriculture.

Assembly Concurrent Resolution No. 8—Relative to building a break-water at Crescent City.

Rules suspended, resolution considered engrossed, read a third time and passed

Assembly Bill No. 38—An Act providing for a preliminary survey of the harbor of Santa Cruz and Salinas Slough, in Monterey Bay.

Considered in Committee of the Whole, Mr. Satterwhite in the chair.

IN ASSEMBLY.

Bill reported back with a recommendation that the enacting clause be stricken out of the bill.

Mr. Martin of Butte moved that the recommendation of the committee be adopted

The ayes and noes were demanded by Messrs. Satterwhite, Murphy of Del Norte and Murphy of Santa Clara, and the motion prevailed, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Brown of Yuba, Calderwood, De Haven, Doss, Duffy, Eichelroth, Fortune, Haile, G. R. B. Hayes, Henley of Mendocino, Hudson, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trin-

ity, Merritt, Miller of El Dorado, Miller of Marin, Munday, Murphy of Del Norte and Klamath, Oates, Pool, Power, Robinson, Ryan, Sammons, Scarce, Slicer, Walden and Waldron—36.

NOES—Messrs. Blankenship, Brown of Amador, Finney, Freeman, Fryer, Gilden, Green, Griswold, M. Hayes, Hihn, Horan, Hubner, Inman, Kelley, McClaskey, Mooney, Moynihan, Murphy of Santa Clara, Newell, O'Connell, Rockwell, Romer, Satterwhite, Shoemaker, Stephens, Thurston, Williams, York and Young—29.

Mr. Geo. R. B. Hayes gave notice that on to-morrow he should move to reconsider the vote by which the House voted to strike out the enacting clause of the bill.

Assembly Concurrent Resolution No. 12—For a mail route from Millville, Shasta County, to Fort Bidwell, Siskiyou County, and to establish Post-offices.

Ordered engrossed.

Assembly Bill No. 82—An Act to amend an Act to authorize the Board of Supervisors of Inyo County to levy a special tax for building purposes, approved January twenty-ninth, eighteen hundred and sixty-eight.

Ordered engrossed.

Assembly Concurrent Resolution No. 11—For the establishment of a mail route from San Rafael, Marin County, to Petaluma, Sonoma County.

Rules suspended, resolution considered engrossed, read a third time and passed.

Assembly Bill No. 11—An Act for the relief of Green T. Martin.

Considered in Committee of the Whole, Speaker pro tem. in the chair.

IN ASSEMBLY.

Bill reported back with the recommendation that it be temporarily laid on the table.

Mr. Haile moved that the recommendation of the Committee of the Whole be adopted.

Lost, on a division.

Mr. Doss moved to amend section one, by striking out "two hundred and fifty" and inserting "one hundred and twenty" dollars

Lost.

Mr. Duffy moved to strike out the enacting clause.

Lost.

The bill was then ordered engrossed.

Assembly Bill No. 107—An Act for the protection of deer in the County of San Mateo.

On motion of Mr. Murphy of Santa Clara, the Clerk was instructed to add section four, as follows: This Act shall take effect from and after its passage.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

At three o'clock and fifty minutes P. M., on motion of Mr. Murphy of Del Norte, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, January 14th, 1870. }

House met pursuant to adjournment.

Speaker pro tem. in the chair.

Roll called.

Quorum present

Prayer by the Rev. O. P. Fitzgerald.

Journal of yesterday read and approved.

Mr. Hawley was granted indefinite leave of absence, and the State Prison Committee had indefinite leave of absence granted to attend to committee business.

REPORTS OF STANDING COMMITTEES.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

MR. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed, Assembly Bill No. 158—An Act in relation to the assessment of property in Tuolumne County for the year A. D. eighteen hundred and sixty-nine

Also, Assembly Bill No. 107—An Act for the protection of deer in the County of San Mateo

Also, Assembly Bill No. 11—An Act for the relief of Green T. Martin.

Also, Assembly Bill No. 43—An Act to grant the right to construct and maintain a bridge and ferry across Russian River, and to open a public highway thereto

Also, Assembly Concurrent Resolution No. 12—For a mail route from Millville, Shasta County, to Fort Bidwell, Siskiyou County, and to establish Post-offices.

The committee would further report that Assembly Bill No. 82—An Act to amend an Act to authorize the Board of Supervisors of Inyo County to levy a special tax for building purposes, approved January twenty-ninth, eighteen hundred and sixty-eight—is in the office of the Engrossing Clerk, under an order of this Assembly for engrossment, without an enacting clause, and the committee, deeming the same to be an oversight, would suggest the propriety of having the said bill returned and amended before its engrossment.

Martin (of Butte), Chairman.

Mr. Lambert, from the Judiciary Committee, made the following report:

MR. SPEAKER: The Committee on Judiciary, to whom was referred Assembly Bill No 105—An Act to amend an Act entitled an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six—report that they have had said bill under consideration, and report the said bill back with a recommendation that it pass.

NAPHTALY, Chairman.

REPORTS OF SELECT COMMITTEES.

Mr. Ryan, from the San Francisco delegation, made the following report :

MR. SPEAKER : The San Francisco delegation, having had Assembly Bill No. 3 under consideration, the undersigned members of said delegation beg leave to report back the accompanying substitute therefor, and recommend its passage.

E. A. ROCKWELL,
T. J. MOYNIHAN,
GEORGE R. B. HAYES,
THOMAS P. RYAN,
W. O'CONNELL,
MICHAEL HAYES,
JOS. NAPHTALY,
JOHN C. GRISWOLD,
J. L. ROMER.

Mr. Crigler, from the Napa delegation, made the following report :

MR. SPEAKER : The Napa delegation, to whom was referred Senate Bill No. 122—An Act to raise a fund for the improvement of Napa City—beg leave to report that they have had the same under consideration, and report it back and recommend its passage.

CRIGLER, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Blankenship moved to take from the table the resolution in reference to changing the rule of the House in regard to meeting for the morning session.

Lost, on a division.

Mr. Geo. R. B. Hayes offered the following :

Resolved, That the San Francisco delegation be and they hereby are authorized to employ a Clerk, at a compensation of eight dollars per day, payable out of the Contingent Fund of the Assembly.

The resolution went to the Committee on Contingent Expenses, under the rule.

Mr. Henley of Sonoma offered the following :

Resolved, That the usual number of copies of all bills of a general nature be printed, and copies of the same be furnished each member of the House ; and that no other bills be printed, except by special order of this body.

Mr. McMurry of Trinity moved to refer the resolution to the Committee on Printing, to report the probable expense of such printing.

Lost, on a division.

The resolution was then adopted.

Mr. Doss offered the following :

Resolved, That the Sergeant-at-Arms be directed to have the chandeliers lighted in this hall each night, from seven to ten o'clock.

Adopted.

Mr. Rockwell offered the following :

Resolved, That the Committee on Commerce and Navigation be authorized to employ a Clerk, at six dollars per day, payable out of the Contingent Fund of the Assembly.

Ordered to the Committee on Contingent Expenses.

Mr. Martin of Butte offered the following resolution :

Resolved, That the Engrossing Clerk be authorized to insert an enacting clause in Assembly Bill No. 82—An Act to amend an Act to authorize the Board of Supervisors of Inyo County to levy a special tax for building purposes, approved January twenty-seventh, eighteen hundred and sixty-eight.

Adopted.

On motion of Mr. G. R. B. Hayes, the motion to reconsider the vote of the Assembly on Assembly Bill No. 38, of which he gave notice on yesterday, was made the special order for Wednesday next, at two o'clock P. M.

Mr. Brown of Amador offered the following resolution :

Resolved, That the Committee on Public Lands and the Committee on Agriculture be and are hereby constituted a Committee on Immigration, and that the said Committee on Immigration be and are hereby requested to prepare a plan for promoting white immigration from the Atlantic coast and Europe to this State, and report the same to this House.

Laid over one day, under the rules.

Mr. King offered the following :

Resolved, That the Committee on Corporations be allowed a Clerk, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Contingent Expenses.

Mr. G. R. B. Hayes was granted further time to prepare and submit a minority report upon Assembly Bill No. 113.

Mr. Martin of Butte offered the following resolution :

Resolved, That all committees of this Assembly, making reports upon bills, insert in their reports the titles as well as the numbers of the bills reported.

Adopted.

Mr. Hubner offered the following resolution :

Resolved, That the resolution by and through which the House takes a recess every day from half-past twelve o'clock to half-past one o'clock P. M., is hereby rescinded.

On motion of Mr. York, laid on the table.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
January 13th, 1870. }

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on yesterday, passed Senate Bill No. 49—An Act to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the Town of Grass Valley, approved March twenty-fourth, eighteen hundred and sixty-six.

Also, adopted Senate Concurrent Resolution No. 16—Relative to appointing a Clerk for the Joint Committee of the Senate and Assembly on State Prison.

CURTIS,
Assistant Secretary.

Senate Bill No. 49, above reported, was read first and second times and referred to the Nevada delegation.

Senate concurrent resolution, above reported, read first and second times and, on motion of Mr. Haile, rules suspended by unanimous consent, read a third time, when the House refused to pass the resolution.

Mr. Oates offered the following :

Resolved, That when this Assembly adjourns to-day, that it adjourn to meet on Monday next, at one o'clock p. m.

Mr. Hihn moved to lay on the table, on which the ayes and noes were demanded by Messrs. Waldron, Haile and G. R. B. Hayes, and the motion prevailed, by the following vote :

AYES.—Messrs. Andrews, Berry, Blankenship, Brown of Yuba, Calderwood, Crigler, Eichelroth, Fryer, Gildea, Green, Haile, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, Inman, King, Lewelling, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Munday, Newell, Oates, Odell, Rockwell, Shoemaker, Shores, Slicer, Walden, Waldron, York and Young—39.

NOES.—Messrs. Appling, Brown of Amador, De Haven, Doss, Duffy, Escandon, Fortune, Kelley, Koutz, Lambert, Martin of Butte, McClaskey, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, O'Connell, Pool, Robinson, Sammons, Satterwhite, Scarce, Stephens and Thurston—24.

NOTICES.

Mr. Hubner gave the following notice, according to rule sixty-eight: That on to-morrow he will propose, by resolution, the following change in our order of business, to wit: That the order of business number eight, being motions and resolutions, be changed to that of thirteen, reading: "Business on general file, and third reading of bills."

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Rockwell—An Act to establish pilots and pilot regulations for the ports of San Francisco, Mare Island, Vallejo and Benicia.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Horan—An Act for the relief of Samuel Clayton.

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

By Mr. Haile—An Act to amend an Act entitled an Act to incorporate the City of Vallejo, approved March thirtieth, eighteen hundred and sixty-eight.

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

By Mr. Satterwhite—An Act to amend an Act entitled an Act to exempt the homestead and other property from forced sale in certain cases, approved April twenty-second, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Blankenship—An Act to create the County of San Benito, to define its boundaries and provide for its organization.

Read first and second times and referred to the Committee on Counties and County Boundaries.

By Mr. Murphy of Santa Clara—An Act to authorize the Governor of the State of California to appoint three additional Notaries Public for the County of Santa Clara.

Read first and second times and referred to the Judiciary Committee.

GENERAL FILE.

Assembly Bill No. 118—An Act to authorize Len Gerlock and his associates and assigns to construct and maintain a chute and moorings at Scott's Landing, on the Pacific Ocean, in Mendocino County, and to charge and collect tolls for the use thereof.

Ordered engrossed.

Senate Joint Resolution No. 3—Relative to declaring the public highway from Santa Rosa to Sonoma a mail route.

Amended; read a third time and passed.

Assembly Bill No. 130—An Act to authorize the County Treasurer of San Bernardino County to transfer certain funds.

Ordered engrossed.

Assembly Concurrent Resolution No. 17—Approving the action of Tennessee in rejecting the Fifteenth Amendment.

On motion of Mr. Slicer, the rules were suspended, the resolution considered engrossed and placed on its passage.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker pro tem. in the chair.

Roll called.

Quorum present.

On motion of Mr. Ryan, substitute for Assembly Bill No. 3 ordered printed.

GENERAL FILE RESUMED.

Assembly Concurrent Resolution No. 17 was resumed.

The hour of two o'clock P. M. having arrived, and being the time to consider Assembly Memorial No. 2, on motion of Mr. Satterwhite, the consideration of the special order was temporarily suspended.

[Mr. Murphy of Santa Clara in the chair.]

Mr. Koutz moved the previous question.

Lost.

Assembly Concurrent Resolution No. 17 was read a third time.

On the passage of the resolution the ayes and noes were demanded by Messrs. Duffy, Waldron, and Martin of Siskiyou, and it passed, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Blankenship, Brown of Amador, Brown of Yuba, Doss, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Kelley, King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Newell, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Walden and Young—54.

NOES—Messrs. De Haven, Duffy, Finney, Koutz, Power, Sammons, Waldron, Williams and York—9.

SPECIAL ORDER.

The special order for Friday, January fourteenth, eighteen hundred and seventy, at two o'clock, P. M., Assembly Memorial No. 2—In regard to grazing lands—was taken up.

Mr. Hudson moved to refer the memorial to the Committee on Mines and Mining Interests, with special instructions.

Agreed to, and so ordered.

Mr. Gildea (*on leave*) introduced a bill for an Act for the relief of John Cartheche, Sheriff of El Dorado County.

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

Mr. Murphy of Del Norte was granted leave of absence for the remainder of the day.

GENERAL FILE RESUMED.

Assembly Concurrent Resolution No. 18—Granting leave of absence to John A. Watson, County Clerk of Humboldt County.

Rules suspended, resolution considered engrossed, read a third time and passed, title approved.

Assembly Concurrent Resolution No. 116—An Act to provide for the relief and maintenance of the indigent sick of Humboldt County.

Rules suspended, resolution considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 57—An Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary regulations for the City and County of San Francisco.

Passed on the file.

Assembly Bill No. 95—An Act to amend an Act concerning the Insane

Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three.

Made the special order for Wednesday, the twenty-sixth instant, at two o'clock P. M., and the usual number of copies ordered printed.

At four o'clock P. M. Mr. Griswold moved to adjourn.

Lost.

Assembly Bill No. 58—An Act to repeal an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to authorize the Board of Supervisors of Humboldt County to levy a special tax for certain purposes and to provide for the collection of the same, approved April eighteenth, eighteen hundred and fifty-seven, approved February eleventh, eighteen hundred and fifty-eight.

Substitute adopted.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

At four o'clock and five minutes P. M. on motion of Mr. Finney, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
Saturday, January 15th, 1870. }

House met pursuant to adjournment.

Speaker pro tem. in the chair.

Roll called.

Quorum present

Prayer by the Chaplain.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted Mr. Rogers, the Speaker, on account of sickness.

Mr. M. Hayes was granted leave of absence for five days, owing to the death of his father.

Mr. Lewelling was granted leave of absence till Tuesday next ; and Mr. Murphy of Santa Clara for one day.

REPORTS OF STANDING COMMITTEES.

Mr. Lambert, from the Committee on Ways and Means, made the following report :

MR. SPEAKER: The Committee on Ways and Means have had under consideration Assembly Bill No. 141—An Act to authorize the Board of Supervisors of Mono County to transfer moneys from one fund to another—and report the same back to the Assembly, and recommend its passage.

Also, Assembly Bill No. 142—An Act authorizing the Board of Supervisors of Mono County to levy a special tax for a Contingent Fund—and report the same back to the Assembly, and recommend that the same be referred to the Mono County delegation.

LAMBERT, Chairman.

Mr. Newell, from the Committee on Roads and Highways, made the following report:

Mr. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 44—An Act concerning roads and highways in the County of Humboldt, have had the same under consideration, and report it back and recommend its passage.

NEWELL, Chairman.

Mr. Horan, from the Committee on Claims, made the following report:

Mr. SPEAKER: Your committee to whom was referred Assembly Bill No. 123—An Act for the relief of James S. Houseman—respectfully report the same back and recommend that it be referred to the delegation from San Francisco.

HORAN, Chairman.

Mr. King, from the Nevada delegation, made the following report:

Mr. SPEAKER: The Nevada delegation, to whom was referred Senate Bill No. 49—An Act to amend an Act entitled an Act to incorporate the Town of Grass Valley, approved March twenty-fourth, eighteen hundred and sixty-six—have had the same under consideration, and report it back to the House and recommend its passage.

KING.
SLICER,
OATES,
HAWLEY.

On motion of Mr. King, the above reported bill was now taken up, the rules suspended and the bill put on its passage.

Read a third time and passed; title approved.

Mr. McMurry of Trinity, from the Committee on Contingent Expenses, made the following reports:

Mr. SPEAKER: Your Committee on Contingent Expenses, to whom was referred three resolutions asking committee clerks, have had the same under consideration, and report the following substitute for all the resolutions and recommend its passage:

Resolved, That the Committee on Corporations, the Committee on Commerce and Navigation and the San Francisco delegation each be allowed to employ a Clerk, at a per diem of six dollars, payable out of the Contingent Fund of the Assembly.

JOHN McMURRY, for Committee.

Mr. SPEAKER: Your Committee on Contingent Expenses, to whom was referred a resolution appointing S. W. Perry Porter of the Clerks' rooms,

have had the same under consideration, and report it back and recommend its passage.

JOHN McMURRY, for Committee.

MOTIONS AND RESOLUTIONS.

Mr. Duffy offered the following :

Resolved, That the Sergeant-at-Arms be and is hereby authorized to furnish the reporters on the floor of this House with three daily papers, or their equivalent in weeklies, to be paid out of the Assembly Contingent Fund.

On motion of Mr. G. R. B. Hayes, laid on the table.

Mr. Ryan offered the following resolution :

Resolved, That the Sergeant-at-Arms be instructed to remove the ropes now stretched across the Assembly chamber.

Adopted

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

Resolved, That the resolution by and through which the House takes a recess every day, from half-past twelve to half-past one o'clock P. M., hereby rescinded.

The resolution was lost.

On motion of Mr. G. R. B. Hayes, the resolution in reference to the appointment of Clerks for various committees, reported by the Committee on Contingent Expenses, was taken up.

Mr. Martin of Butte moved to strike out the San Francisco delegate from the resolution.

Carried.

The resolution, as amended, was then adopted.

At twelve o'clock and twenty minutes P. M. Mr. Martin of Butte moved to adjourn until half-past one o'clock on Monday.

Mr. Inman moved to amend by changing to half-past two o'clock Monday.

Agreed to.

The motion, as amended, was lost.

On motion of Mr. McMurry of Trinity, the resolution in reference to appointing S. W. Perry, as follows, was taken up :

Resolved, That S. W. Perry be and is hereby appointed a Porter for the Clerks' rooms of the Assembly, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly, to take effect from after January first, eighteen hundred and seventy.

Adopted.

Mr. Eichelroth moved to have Assembly Bills Nos. 159 and 161 printed.

At twelve o'clock and thirty minutes P. M. Mr. Martin of Butte moved to adjourn until half-past two o'clock P. M., on Monday next.

The Chair announced that the business before the House was on "

resolution of Mr. Eichelroth, upon which a vote had been taken but not announced.

Mr. Martin of Butte rose to a point of order, stating that his motion to adjourn was now in order.

Overruled.

Mr. Martin of Butte appealed, and the Speaker was sustained, on a division.

The question of adjournment was now put, the ayes and noes demanded by Messrs Eichelroth, Haile, and Murphy of Del Norte, and the motion prevailed, by the following vote:

AYES—Messrs. Appling, Berry, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Colonel, De Haven, Doss, Escandon, Fortune, Fryer, Green, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Inman, Kelley, Koutz, Martin of Butte, McClaskey, Merritt, Miller of El Dorado, Moynihan, Munday, Murphy of Del Norte and Klamath, Newell, Oates, O'Connell, Odell, Robinson, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Shores, Slicer, Walden, Williams and Young—44.

NOES—Messrs. Andrews, Duffy, Eichelroth, Freeman, Gildea, Haile, G. R. B. Hayes, McMurry of El Dorado, McMurry of Trinity, Mooney, Power, Shoemaker, Waldron and York—14.

So the House stood adjourned to Monday, January seventeenth, at two o'clock and thirty minutes P. M.

GEO. H. ROGERS,
Speaker.

ROBT FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, January 17th, 1870. }

House met pursuant to adjournment.

Speaker pro tem. in the chair.

Roll called.

Quorum present

Prayer by the Chaplain

Journal of Saturday last read and approved.

Messrs. O'Connell, Hihn, Doss, Kelley, Lambert, Mooney, Merritt, Ryan, Escandon, Murphy of Santa Clara, and Hubner, were granted leave of absence for one day.

PETITIONS.

Mr. McMurry of Trinity presented a petition from citizens of Trinity County, asking a repeal of the late registry law.

Received and referred to the Committee on Elections.

REPORTS.

Mr. Geo. R. B. Hayes presented a minority report from the Judiciary Committee, in regard to Assembly Bill No. 113—An Act amendatory of

and supplementary to an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets, approved March thirtieth, eighteen hundred and sixty-eight.

Received and ordered on file.

Mr. Slicer, from the Committee on Education, made the following report :

MR. SPEAKER : The Committee on Education, to whom was referred Assembly Bill No. 153—An Act relating to the Board of Education of the City and County of San Francisco, and more particularly defining its powers and duties—have had the same under consideration, report it back and recommend its passage.

SLICER, Chairman.

Mr. Fortune, from the San Francisco delegation, made the following report :

MR. SPEAKER : The San Francisco delegation, to whom was referred Assembly Bill No. 123—An Act for the relief of James S Houseman—report that they have had said bill under consideration, and recommend the passage of the same.

FORTUNE, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Blankenship offered the following resolution :

Resolved, That the San Francisco delegation be allowed a Clerk, at a salary of six dollars per day, payable out of the Contingent Fund of the Assembly.

Mr. G. R. B. Hayes moved a suspension of the rules, to place the resolution on its passage.

Carried.

Mr. Duffy offered the following substitute :

Resolved, That R. M. Clarken be and he is hereby appointed Clerk to the San Francisco delegation, at a per diem of eight dollars, payable out of the Assembly Contingent Fund.

Mr. Haile moved to amend the substitute, by changing from "eight" to "six" dollars.

Accepted.

Mr. Biggs moved to indefinitely postpone the whole matter.

The ayes and noes were demanded by Messrs Haile, Biggs, and McMurry of El Dorado, and the House refused, by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Green, Haile, G. R. B. Hayes, Hudson, Martin of Butte, McMurry of El Dorado, Newell, Odell, Power, Scarce, Thomas and Waldron—16.

NOES—Messrs. Appling, Blankenship, Brown of Yuba, Calderwood, Coronel, Duffy, Eichelroth, Finney, Fortune, Freeman, Fryer, Gildea, Griswold, Hawley, Henley of Sonoma, Horan, Inman, Johnson, King, Koutz, McClaskey, McMurry of Trinity, Miller of El Dorado, Moynihan, Munday, Naphtaly, Oates, Pool, Rockwell, Sammons, Satterwhite, Shoemaker, Shores, Slicer, Walden, York and Young—37.

Mr. Duffy offered to withdraw his substitute, but objections being made, the question was put on the adoption of the substitute.

Lost, on a division.

Mr. Walden moved the previous question.

Sustained.

The question recurring on the original resolution, as offered by Mr. Blankenship, the ayes and noes being demanded by Messrs. Haile, Shoemaker and Biggs, the resolution was adopted, by the following vote :

AYES—Messrs. Appling, Berry, Blankenship, Calderwood, Coroneel, Duffy, Eichelroth, Finney, Fortune, Freeman, Fryer, Gildea, Griswold, G. R. B. Hayes, Henley of Sonoma, Horan, Inman, Johnson, King, Koutz, Martin of Butte, McClaskey, McMurry of Trinity, Miller of El Dorado, Moynihan, Munday, Naphtaly, Oates, Pool, Rockwell, Sammons, Satterwhite, Scarce, Shores, Slicer, Walden, Williams, York and Young—39.

NOES—Messrs. Andrews, Biggs, Brown of Amador, Brown of Yuba, Green, Haile, Hudson, McMurry of El Dorado, Newell, Odell, Power, Robinson, Shoemaker, Thomas and Waldron—15.

Mr. Brown of Amador called up the resolution offered by him on the fourteenth instant, which was laid over under the rules, as follows :

Resolved, That the Committee on Public Lands and the Committee on Agriculture be and are hereby constituted a Committee on Immigration ; and that the said Committee on Immigration be and are hereby requested to prepare a plan for promoting white immigration from the Atlantic coast and Europe to this State, and report the same to this House.

Mr. Martin of Butte gave notice that on to-morrow he should move to reconsider the vote by which the House adopted the resolution giving the San Francisco delegation a Clerk.

Mr. Oates offered an amendment that said Committee on Immigration be allowed a Clerk, at a per diem of six dollars.

Lost

On the question of adopting the resolution in reference to constituting a Committee on Immigration, the ayes and noes were demanded by Messrs. Haile, Murphy of Del Norte, and Shoemaker, and the resolution was adopted, by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Eichelroth, Fortune, Gildea, Green, Griswold, Haile, G. R. B. Hayes, Henley of Sonoma, Horan, Hudson, Johnson, McClaskey, McMurry of El Dorado, Miller of El Dorado, Moynihan, Munday, Naphtaly, Newell, Pool, Power, Rockwell, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Thomas, Walden, Williams and Young—37.

NOES—Messrs. Appling, Calderwood, Coroneel, Duffy, Finney, Freeman, Fryer, Inman, Koutz, Martin of Butte, McMurry of Trinity, Murphy of Del Norte and Klamath, Oates, Odell, Robinson, Waldron and York—17.

Mr. Henley of Sonoma offered the following :

Resolved, That the Enrolling Clerk be and he is hereby authorized to employ an assistant whenever the same may be necessary in the performance of the duties of his office, at the same per diem allowed to Copying Clerks, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Contingent Expenses

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
January 15th, 1870. }

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on yesterday, passed substitute for Senate Bill No. 4—An Act amendatory of and supplementary to an Act entitled an Act to prohibit barbarous and noisy amusements on the Christian Sabbath, approved March sixteenth, eighteen hundred and sixty-five.

CURTIS,
Assistant Secretary.

Substitute for Senate Bill No. 4, above reported, was read first and second times and referred to the Committee on Public Morals.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Satterwhite—An Act prescribing rules for the government of the State Library.

Read first and second times and referred to the State Library Committee.

By Mr. Martin of Butte—An Act amendatory of an Act authorizing District Judges in certain cases to sign records and settle statements, passed April twelfth, eighteen hundred and fifty-nine.

Read first and second times and referred to the Judiciary Committee.

By Mr. McMurry of El Dorado—An Act to amend section six hundred and twenty-seven of an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

Also, an Act to amend section five hundred and forty of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Haile—An Act authorizing the Board of Trustees of the Vallejo School District, in the County of Solano, to borrow money for school purposes.

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

Also, an Act to establish and define the powers and duties of the Board of Education of the City of Vallejo.

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

By Mr. Naphtaly (by request)—An Act to ratify and confirm a certain ordinance of the City and County of San Francisco, and proceedings thereunder.

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

By Mr. Henley of Sonoma—An Act to provide for the revision of the laws of the State of California.

Read first and second times and referred to the Judiciary Committee.

By Mr. Berry—An Act to authorize the Board of Supervisors of Sutter County to issue bonds for road purposes

Read first and second times and ordered to the general file.

At three o'clock and fifty-seven minutes p. m. Mr. Horan moved to adjourn.

Lost.

GENERAL FILE.

Assembly Bill No. 11—An Act for the relief of Green T. Martin.

Passed on file.

Assembly Bill No. 43—An Act to grant the right to construct and maintain a bridge and ferry across Russian River, and to open a public highway thereto.

Read a third time and passed; title approved.

Assembly Concurrent Resolution No. 12—For a mail route from Millville, Shasta County, to Fort Bidwell, Siskiyou County, and to establish Post-offices.

Read a third time and passed; title approved.

Assembly Bill No. 57 and Senate Bill No. 2 passed on file.

Assembly Bill No. 121—An Act to amend an Act entitled an Act to protect sheep and lambs in this State.

Recommitted to the Committee on Agriculture.

Assembly Bill No. 124—An Act to prevent the extension of the infectious disease among sheep commonly called the scab.

Recommitted to the Committee on Agriculture, and ordered printed.

Assembly Bill No. 111—An Act to provide for the construction of a wagon turnpike road from a point at or near Ukiah City, in Mendocino County, to a point at or near Cloverdale, in Sonoma County.

Passed on file,

At four o'clock and ten minutes p. m. Mr. McClaskey moved to adjourn.

Lost.

Assembly Bill No. 115—An Act to authorize Michael C. Duffcey, Chas. W. Scheidel, Theodore A. Coult and Caleb E. Wilcoxsen, and their associates and assigns, to construct and maintain a railroad in the City of Marysville, Yuba County, and the Town of Yuba City, Sutter County.

Passed on the file.

At four o'clock and fifteen minutes p. m., on motion of Mr. Oates, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY

HOUSE OF ASSEMBLY,
 Tuesday, January 18th, 1870. }

House met pursuant to adjournment

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. McMillan was granted leave of absence for one day, and Mr. Finney for the morning session.

REPORTS OF STANDING COMMITTEES.

Mr. Naphtaly, from the Judiciary Committee, made the following report :

MR. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 106—An Act to amend section one of an Act entitled an Act to amend an Act entitled an Act to fix the amount of official bonds of county officers in and for the Counties of Klamath and Del Norte, approved March twenty-sixth, eighteen hundred and sixty-eight—respectfully report that they have had said bill under consideration, and report the same back, and recommend the passage of the bill.

They have also considered Assembly Bill No. 138—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—and respectfully report the same back, and recommend the passage of the bill.

They have also considered Assembly Bill No. 98—An Act to amend an Act entitled an Act concerning wills, passed April tenth, eighteen hundred and fifty—and respectfully report the same back, and recommend the indefinite postponement of the bill, for the reason that there is a statute, passed March twentieth, eighteen hundred and sixty-six, conferring the same powers upon a married woman which Assembly Bill No. 98 is designed to confer.

They have also considered Assembly Bill No. 103—An Act to repeal an Act entitled an Act for the relief of insolvent debtors and protection of creditors, approved May fourth, eighteen hundred and fifty-two, and all Acts amendatory thereof and supplementary thereto—and respectfully report the same back, and recommend the indefinite postponement of the bill. The committee make this recommendation for the reason that the insolvent law is inoperative so long as the Bankrupt Act of Congress, passed March second, eighteen hundred and sixty-seven, stands unrepealed; and the repeal of the insolvent law of this State, and of said Act of Congress, might leave this State without an insolvent or bankrupt law.

They have also considered Assembly Bill No. 39—An Act to reorganize the Police Department of San Francisco, to promote its efficiency and prohibit the removal of police officers for political opinions—and respectfully report the same back and recommend that the bill be referred to the San Francisco delegation.

They have also considered Assembly Bill No. 128—An Act to amend section one hundred and twenty-four of the Act of May first, eighteen hundred and fifty-one, entitled an Act to regulate the estates of deceased persons—and respectfully report the same back with a substitute, and recommend the passage of the substitute.

NAPHTALY, Chairman.

Mr. Kelley, from the Committee on Agriculture, made the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 121, with instructions to amend, report the same back with amendment, and recommend its passage as amended.

KELLEY, Chairman.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Concurrent Resolution No. 11—For the establishment of a mail route from San Rafael, Marin County, to Petaluma, Sonoma County.

Also, Assembly Concurrent Resolution No. 8—Relative to the building of a breakwater at Crescent City.

Also, substitute for Assembly Bill No. 58—An Act to repeal an Act entitled an Act to authorize the Supervisors of Humboldt County to levy a special tax for certain purposes, and to provide for the collection of the same.

Also, Assembly Bill No. 130—An Act to authorize the County Treasurer of San Bernardino County to transfer certain funds.

Also, Assembly Bill No. 118—An Act to authorize Lew Gerlock and his associates and assigns to construct and maintain a chute and moorings at Scott's Landing, on the Pacific Ocean, in Mendocino County, and collect tolls for the use thereof.

Also, Assembly Concurrent Resolution No. 18—Granting leave of absence to John A. Watson, County Clerk of Humboldt County.

Also, Assembly Concurrent Resolution No. 17.

Also, Assembly Bill No. 116—An Act to provide for the relief and maintenance of the indigent sick of Humboldt County.

MARTIN (of Butte), Chairman.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Ryan, substitute for Assembly Bill No. 3 was recommended to the San Francisco delegation to correct typographical errors.

Mr. Naphtaly offered the following resolution:

Resolved, That the Sergeant-at-Arms be authorized to procure suitable rooms for the Judiciary Committee of this House.

Adopted.

Mr. Martin of Butte, in accordance with previous notice, moved to reconsider the vote whereby the Assembly voted on yesterday to allow the San Francisco delegation a Clerk.

Mr. Gildea moved the previous question.

Sustained.

On a division, the House refused to reconsider.

Mr. Freeman offered a resolution appointing E. Downs Porter of the galleries, at a per diem of four dollars.

On motion of Mr. Stephens, the resolution was referred to the Committee on Contingent Expenses.

Mr. Gildea moved to take from the table the resolution in reference to printing the report of the State Agricultural Society.

Carried.

Mr. Haile moved to amend by adding "for the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine."

Amendment accepted.

Mr. McMurry of Trinity moved to amend the motion to print by adding "if the same can be printed and be ready for distribution within one month."

Accepted.

Mr. Hihn moved to refer the resolution to the Committee on Agriculture.

Mr. Blankenship moved the previous question.

Sustained.

The motion to refer the resolution to the Committee on Agriculture was lost, on a division.

The question being on the concurrent resolution, amended to read as follows :

Resolved by the Assembly, the Senate concurring, That there be printed nine hundred and sixty copies of the report of the Board of Directors of the State Agricultural Society, and that three thousand one hundred and twenty copies of the transactions of said society, including the report, be also printed, for the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine, provided the reports be ready for distribution within one month.

It was adopted as amended.

Mr. Naphtaly offered the following resolution :

Resolved, That the Judiciary Committee of this House, to whom were referred certain resolutions concerning the revision and codifying of the laws of the State of California, be and are hereby authorized to send for persons and papers which they may require in their investigation.

Adopted.

NOTICES.

Notices of the introduction of bills were given as follows :

By Mr. Brown of Amador—An Act to authorize James C. Shipman, H. A. Carter and T. M. Howell, their associates and assigns, to construct a railroad from Lone City, in Amador County, to a point at or near Galt, in Sacramento County.

By Mr. Blankenship—An Act to authorize the citizens of Monterey to aid the Santa Clara and Pajaro Valley Railroad Company in the construction of a railroad from the Town of Gilroy, in Santa Clara County, through the Pajaro Valley, to some point in the Salinas Valley, at or near Salinas City.

By Mr. Hihn—An Act to authorize the County of Santa Cruz to aid the construction of railroads in said county.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Eichelroth—An Act for the relief of the District Collectors of Revenue Districts One, Two, Three and Four, in Tuolumne County.

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

Also, an Act to authorize the Controller of State to audit the Treasurer of Tuolumne County with certain poll tax receipts.

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

By Mr. Odell—An Act for the improvement of the American River and its branches, and to regulate the floating of timber thereon.

Read first and second times and referred to the Committee on Internal Improvements.

By Mr. Hihn—An Act to prevent forest and field conflagrations.

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

By Mr. Hihn (by request)—An Act to amend an Act entitled an Act concerning Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Read first and second times and referred to the Judiciary Committee.

By Mr. Escandon—An Act to authorize the construction of a wharf in the County of San Luis Obispo.

Read first and second times and referred to the Committee on Commerce and Navigation

By Mr. Naphtaly—An Act concerning the office of the County Clerk of the City and County of San Francisco.

Read first and second times and referred to the Judiciary Committee.

GENERAL FILE.

Assembly Bill No. 11—An Act for the relief of Green T. Martin.

Read a third time and passed; title approved.

Assembly Bill No. 147—Continued on the file for to-morrow.

Assembly Bill No. 88—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Ordered engrossed.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

GENERAL FILE RESUMED.

Assembly Bill No. 10—An Act to alter the judicial districts and create the Eighteenth Judicial District.

On motion of Mr. Duffy, the special order set for two o'clock P. M. this day was postponed ten minutes.

Assembly Bill No. 10—Rules suspended, bill considered engrossed, and read a third time.

On the passage of the bill, the ayes and noes were demanded by

Messrs. Duffy, Brown of Amador, and Murphy of Santa Clara, and it passed, by the following vote :

AYES—Messrs. Appling, Biggs, Brown of Amador, Calderwood, Carothers, De Haven, Duffy, Escandon, Finney, Fortune, Green, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Johnson, Kelley, King, Lambert, Lewelling, Martin of Butte, McClaskey, McMurry of El Dorado, Merritt, Miller of El Dorado, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, O'Connell, Odell, Pool, Power, Robinson, Rockwell, Romer, Ryan, Satterwhite, Shores, Slicer, Stephens, Thomas, Thurston, Walden, Waldron, Williams, Young and Mr. Speaker—56.

NOES—Messrs. Andrews, Berry, Brown of Yuba, Coronel, Eichelroth, Freeman, Fryer, Haile, Inman, Koutz, McMurry of Trinity, Mooney, Oates, Scarce and Shoemaker—15.

On motion of Mr. Merritt, the rules were suspended, and Assembly Bill No. 115 was referred back to the Yuba and Sutter delegation.

SPECIAL ORDER.

The special order for Tuesday, January eighteenth, eighteen hundred and seventy, at two o'clock P. M.—Governor's message transmitting Fifteenth Amendment—was taken up.

Mr. Henley of Sonoma offered the following :

WHEREAS, The Congress of the United States, two-thirds of both Houses having deemed it necessary, by a joint resolution, duly passed, did propose to the Legislatures of the several States, for their ratification, a certain amendment to the Constitution of the United States, which proposed amendment is in the words and figures following, to wit :

ARTICLE XV.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

Wherefore, be it resolved by the Senate and Assembly of the State of California, That the said proposed amendment be and the same is hereby disapproved of and rejected by the Legislature of the State of California.

Mr. Lambert moved that the Governor's message transmitting the proposed Fifteenth Amendment, being the special order now under consideration, be postponed, and that, together with the resolutions submitted by the member from Sonoma, be made the special order for Tuesday next, the twenty-fifth instant, at two o'clock P. M.

Carried.

At four o'clock and thirty five minutes P. M., on motion of Mr. Murphy of Del Norte, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, January 19th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Rev. Dr. Lucky.

Journal of yesterday read and approved.

QUESTION OF PRIVILEGE.

Mr. Finney rose to a question of privilege, in reference to the speech made by him when the special order of yesterday, at two o'clock P. M., was under consideration, stating that his remarks were incorrectly reported in the *Sacramento Daily Union* newspaper.

PETITIONS.

Mr. Crigler presented a petition of citizens of Napa County, in reference to the location of the State Normal School.

Received and referred to the Committee on State Normal School.

Also, a petition of citizens of Lake County, for the location of the county seat of said county at the Town of Kelsey.

Received and referred to the Committee on Counties and County Boundaries.

Mr. Escandon presented a petition of citizens of Santa Barbara County, for the passage of a trespass law for said county, similar in its provisions to a law now in force in Yolo County.

Received and referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Mr. Romer, from the Committee on Railroads and Telegraphs, made the following report:

MR. SPEAKER: The Committee on Railroads and Telegraphs, to whom was referred Assembly Bill No. 99—An Act to grant the right of way for a railroad track within the corporate limits of the City of Vallejo, in the County of Solano, to Edward McGettican and Henry Conolly, their associates or assigns—have had the same under consideration, and report a substitute, and recommend the passage of the substitute.

ROMER, Chairman.

Mr. Kelley, from the Committee on Agriculture, made the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 21—An Act to repeal an Act entitled an Act to protect sheep and Cashmere and Angora goats against the ravages of dogs,

approved March thirteenth, eighteen hundred and sixty-six—have had the same under consideration, and report it back with a substitute, and recommend the passage of the substitute.

Also, Senate Bill No. 65—An Act to amend an Act entitled an Act concerning agricultural societies, approved March twelfth, eighteen hundred and fifty-nine—report the same back and recommend its passage.

KELLEY, Chairman.

Mr. Rockwell, from the Committee on Commerce and Navigation, made the following report :

MR. SPEAKER : The Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 86—An Act to authorize the construction and maintenance of a wharf in San Luis Obispo County—have considered the same and report it back, with the recommendation that it pass.

Also, have examined Assembly Bill No. 100—An Act granting to E. A. Mason, and his assigns, the right to construct and maintain a weir or fish trap in the Straits of Carquinez, in the County of Contra Costa—and report the same back with the recommendation that it be indefinitely postponed.

ROCKWELL, Chairman.

Mr. Newell, from the Committee on Roads and Highways, made the following report :

MR. SPEAKER : The Committee on Roads and Highways, to whom was referred Assembly Bill No. 156—An Act to authorize the construction and maintenance of a wagon road between Indian Valley and Sierra Valley, in the County of Plumas—have had the same under consideration, and report it back to the House and recommend its passage.

NEWELL, Chairman.

Mr. Hubner, from the Committee on Public Morals, made the following report :

MR. SPEAKER : The Committee on Public Morals, to whom was referred Senate Bill No. 4—An Act amendatory of and supplementary to an Act entitled an Act to prohibit barbarous and noisy amusements on the Christian Sabbath, approved March sixteenth, eighteen hundred and sixty-five—report that we had the same under consideration and recommend its passage.

HUBNER, Chairman.

On motion of Mr. Hubner, the above reported bill was made the special order for Friday next, the twenty-first instant, at two o'clock p. m.

Mr. Eichelroth, from the Tuolumne delegation, made the following report :

MR. SPEAKER : Your committee, to whom was referred Assembly Bill No. 181—An Act for the relief of the District Collectors of Revenue Districts One, Two, Three and Four, in Tuolumne County—report the same back and recommend its passage.

EICHELROTH, Chairman.

Mr. Doss was granted leave of absence on account of sickness.

Mr. Hubner, from the Committee on Public Morals, made the following report :

MR. SPEAKER: The Committee on Public Morals, to whom was referred Assembly Bill No 137—An Act amendatory to an Act entitled an Act for the more effectual prevention of cruelty to animals—report that we had the same under consideration and recommend its passage.

HUBNER, Chairman.

REPORTS OF SELECT COMMITTEES.

Mr. Mooney, from the Mono delegation, made the following report :

MR. SPEAKER: Your delegation, to whom was referred Assembly Bill No 142—An Act authorizing the Board of Supervisors of Mono County to levy a special tax for a Contingent Fund—report the same back and recommend its passage.

MOONEY, for Delegation.

Mr. Merritt, from the Yuba and Sutter delegations, made the following report :

MR. SPEAKER: The Yuba and Sutter delegations, to whom was referred Assembly Bill No. 115—An Act to authorize M. C. Dufficey, Charles W. Scheidel, and others, to construct a street railroad in the City of Marysville and Yuba City—have had the same under consideration, and respectfully report the same back with amendments, and recommend its passage as amended.

MERRITT, for Delegations.

MOTIONS AND RESOLUTIONS.

Mr. Naphtaly offered the following :

Resolved. That the use of this chamber be tendered to the Regents of the State University for Wednesday, January twenty-sixth, for the purpose of meeting the members of the Legislature in reference to the educational interests of this State.

Adopted.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
January 18th, 1870. }

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on Saturday, the fifteenth instant, passed Assembly Bill No. 60—An Act to authorize the County of Sacramento to issue bonds.

Also, passed Senate Bill No. 26—An Act to pay the claim of H. F. Hastings, assignee of George Seckel, Clerk of the Supreme Court.

Also, adopted Assembly Concurrent Resolution No. 13—Relative to granting Peter H. Peveler, County Clerk of Del Norte, leave of absence from the State.

Also, passed Assembly Bill No. 135—An Act to change the principal place of business of the San Justa Homestead Association.

CURTIS,
Assistant Clerk.

Senate Bill No. 26, above reported, read first and second times and referred to the Committee on Claims.

NOTICES.

Notices of the introduction of bills were given as follows :

By Mr. M. Hayes—An Act authorizing the Board of Supervisors of the City and County of San Francisco to appropriate fifty thousand dollars out of the General Fund for the improvement of Yerba Buena Park, in said city and county.

By Mr. Brown of Amador—An Act to legalize and make valid the election and qualification of certain officers in the County of Amador.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Mooney—An Act granting leave of absence to Richard G. Watkins, District Attorney of Mono County.

Read first and second times and ordered on general file.

By Mr. Fortune—An Act to provide for a street railroad in the City and County of San Francisco.

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

By Mr. McMurry of Trinity—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Trinity County to levy a special tax, approved April second, eighteen hundred and sixty-six.

Read first and second times and ordered on general file.

By Mr. Munday—An Act for the relief of John W. Ball.

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

By Mr. Stephens—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twentieth, eighteen hundred and sixty-two.

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

By Mr. Horan—An Act to provide for the selection and condemnation of a site for a City and County Hospital for the City and County of Sacramento.

Read first and second times.

Mr. Horan moved to refer the bill to the Hospital Committee.

Lost, on a division.

On motion of Mr. Stephens, referred to the Sacramento delegation.

By Mr. Escandon—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six.

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

By Mr. Brown of Amador—An Act to authorize James C. Shipman, Henry A. Carter and Thomas M. Howell, their associates and assigns,

to construct a railroad from Ione City, in Amador County, to a point at or near Galt, in Sacramento County.

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

By Mr. Romer—An Act to appropriate money for the support and maintenance of the San Francisco Female Hospital.

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

By Mr. M. Hayes—An Act to amend an Act entitled an Act amendatory of article fourth of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six, repealing sections thirty-six to forty-four inclusive, and Acts amendatory and supplementary thereof, and substituting this Act for said article four, approved April twenty-fifth, eighteen hundred and sixty-two.

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

By Mr. Martin of Butte—An Act amendatory of and supplementary to an Act entitled an Act to authorize the incorporation of canal companies and the construction of canals, approved May fourteenth, eighteen hundred and sixty-two.

Read first and second times and ordered on the general file.

By Mr. Berry (by request)—An Act concerning the election of Physicians and Managers for the State Insane Asylum.

Read first and second times and referred to the Hospital Committee.

By Mr. Robinson—An Act authorizing the construction of a wharf in the County of San Diego.

Read first and second times and referred to the Committee on Commerce and Navigation.

Also, an Act to authorize Robert Allison, Joel F. Hills, Abraham Klamber, Samuel Steiner, L. N. English and A. B. McKean to construct and maintain a wharf in front of Pueblo lot number one thousand one hundred and sixty-three, in South San Diego, in the County of San Diego.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Walden—An Act to improve the Stanislaus River for rafting logs, lumber, cordwood and floating material.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Inman—An Act to repeal an Act entitled an Act to amend section eighteen of an Act to establish and maintain public pounds, for the better securing of estrays and other stock, in the County of Alameda.

Read first and second times and referred to Alameda delegation.

GENERAL FILE.

Assembly Bill No. 130—An Act to authorize the County Treasurer of San Bernardino County to transfer certain funds.

Read a third time and passed; title approved.

Assembly Bill No. 118—An Act to authorize Lew Gerlock and his associates and assigns to construct and maintain a chute and moorings

at Scott's Landing, on the Pacific Ocean, in Mendocino County, and to charge and collect tolls for the use thereof.

Read a third time and passed; title approved.

Assembly Bill No. 65—An Act to amend an Act entitled an Act respecting the Trustees of San Diego, approved April twenty-eighth, eighteen hundred and fifty-two.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 12—An Act amendatory of and supplementary to an Act to regulate criminal cases, passed May fifteenth, eighteen hundred and fifty-one, and all Acts amendatory thereof.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 61—An Act to amend an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 125—An Act to authorize Robert McHenry, administrator of the estate of Henry Longworth, deceased, to sell the real estate of said estate.

Indefinitely postponed.

Assembly Bill No. 26—An Act to empower Charles A. Yancey, guardian of Minnie Augusta Block and William Block, minors, to sell certain property therein named, belonging to said minors.

Recommitted to the Judiciary Committee.

Assembly Bill No. 101—An Act authorizing Bridget Stannah, administratrix of the estate of William Stannah, deceased, to sell the real estate belonging to said estate in the City and County of San Francisco, at public or private sale.

Withdrawn by the author, by consent.

Assembly Bill No. 113—An Act amendatory of and supplemental to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets, approved March thirtieth, eighteen hundred and sixty-eight.

Referred back to the Judiciary Committee.

Assembly Bill No. 25—An Act to pay certain outstanding indebtedness of the County of Mono, incurred prior to the segregation of said county by virtue of the Act approved March twenty-sixth, eighteen hundred and sixty-one, to ascertain and mark a portion of the eastern boundary of the State.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

Mr. Horan was granted leave of absence for the remainder of the day, and Mr. Carothers for one day.

GENERAL FILE RESUMED.

Assembly Bill No. 25 continued.

Considered in Committee of the Whole, Speaker in the chair.

IN ASSEMBLY.

Reported back, with the recommendation that the usual number of copies be printed.

The report of the Committee of the Whole was adopted.

SPECIAL ORDER.

The special order for Wednesday, January nineteenth, eighteen hundred and seventy, two o'clock P. M.—Motion to reconsider the vote of the Assembly on Assembly Bill No. 38—was taken up.

The motion to reconsider the vote whereby the House voted to strike out the enacting clause of the bill was reconsidered.

Mr. Henley of Sonoma offered an amendment, to strike out the appropriation of five hundred dollars, in section three.

Lost, on a division.

The bill was then ordered engrossed

GENERAL FILE RESUMED.

Assembly Bill No. 129—An Act to repeal an Act entitled an Act supplementary to an Act to prevent the trespassing of animals upon private property, approved March thirty-first, eighteen hundred and fifty-five, approved May seventeenth, eighteen hundred and sixty-one.

Referred to the Judiciary Committee, on motion of Mr. Murphy of Santa Clara.

REPORTS.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report:

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 135—An Act to change the principal place of business of the San Justa Homestead Association

Also, Assembly Concurrent Resolution No. 13—Granting Peter H. Peveler, County Clerk of Del Norte County, leave of absence from the State for the period of six months, at such time as he may select during his term of office.

And this day, at two o'clock, presented the same to the Governor for his approval.

BROWN (of Yuba),
for Committee.

Mr. Newell, from the Committee on Engrossment made the following reports:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 10—An Act to alter the judicial districts and to create the Eighteenth Judicial District.

Also, Assembly Bill No. 82—An Act to amend an Act to authorize the Board of Supervisors of Inyo County, to levy a special tax for building purposes, approved January twenty-ninth, eighteen hundred and sixty-eight.

NEWELL, of Committee.

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 88—An Act to amend an Act to regulate proceedings in civil cases in Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

NEWELL, of Committee.

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

GENERAL FILE RESUMED.

Assembly Bill No 77—An Act to encourage the destruction of gophers and squirrels in Alameda and Contra Costa Counties, and to provide for a bounty for the same.

Amended; amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title amended.

Assembly Bill No 102—An Act to create a Bridge Fund in the County of Placer, and to authorize a tax therefor.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

At three o'clock and fifty-five minutes P. M. Mr. Calderwood moved to adjourn.

Lost.

Assembly Bill No 163—An Act to repeal an Act entitled an Act concerning hogs running at large in the Counties of Colusa, Tehama, Butte, Sonoma and Napa, approved March twenty-sixth, eighteen hundred and fifty-seven, so far as said Act applies to the Counties of Colusa and Tehama.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 105—An Act to amend an Act entitled an Act to amend an Act entitled an Act concerning crimes and punishments, passed April tenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six.

On motion of Mr. Martin of Butte, referred back to the Judiciary Committee

Senate Bill No. 122—An Act to raise a fund for the improvement of Napa City.

Read a third time and passed; title approved.

Assembly Bill No 141—An Act to authorize the Board of Supervisors of Mono County to transfer moneys from one fund to another.

Ordered engrossed.

At four o'clock and thirteen minutes P. M. on motion of Mr. Murphy of Del Norte, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, January 20th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Rev. O. P. Fitzgerald.

Journal of yesterday read and approved.

Mr. G. R. B. Hayes was granted leave of absence for one day.

PETITIONS.

Mr. Crigler presented a remonstrance of citizens of Lake County in reference to the location of the county seat of said county.

Received and referred to the Committee on Counties and County Boundaries.

REPORTS.

Mr. Naphtaly, from the Judiciary Committee, made the following reports:

Mr. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 129—An Act to repeal an Act entitled an Act supplementary to an Act to prevent the trespassing of animals upon private property, approved March thirty-first, eighteen hundred and fifty-five, approved May seventeenth, eighteen hundred and sixty-one—have considered the same and report it back to the House, and recommend its passage.

NAPHTALY, Chairman.

Mr. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 94—An Act concerning proceedings in Courts of record in this State—respectfully report that they have duly considered the same and recommend its indefinite postponement.

They have also considered Assembly Bill No. 87—An Act supplementary to and amendatory of an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three—which bill was referred to this committee for the purpose of considering the question submitted by the Committee on Hospitals, etc., whether the Legislature can, under the Constitution of this State, create an office for a term of longer duration than four years, and the opinion of this committee is that the prohibition found in section seven of article eleven of the Constitution of this State operates as a total restraint to the creation of a term of office, by election or appointment, of longer duration than four years, and the committee recommend that said Assembly Bill No. 87 be recommitted to the Committee on State Hospitals.

NAPHTALY, Chairman.

Mr. Henley of Sonoma, from the Committee on Federal Relations, made the following report:

Mr. SPEAKER: The Committee on Federal Relations, to whom was referred Concurrent Resolution No. 10—Relative to establishing a mail route and Post-offices—hereby report the same back, with a recommendation that it pass, as amended.

HENLEY (of Sonoma), Chairman.

Mr. Newell, from the Committee on Engrossment, make the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 65—An Act to amend an Act entitled an Act respecting the Trustees of San Diego, approved April twenty-eighth, eighteen hundred and fifty-two.

Also, Assembly Bill No. 12—An Act amendatory of and supplementary to an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, and all Acts amendatory thereof.

Also, Assembly Bill No. 61—An Act concerning crimes and punishments.

Also, Assembly Bill No. 141—An Act to authorize the Board of Supervisors of Mono County to transfer moneys from one fund to another.

Also, Assembly Bill No. 38—An Act to provide for a preliminary survey of the Harbor of Santa Cruz and Salinas Slough in Monterey Bay.

NEWELL, for Committee

Mr. Ryan, for the San Francisco delegation, verbally reported back substitute for Assembly Bill No. 3, recommending that the same be ordered to the general file.

So ordered.

MOTIONS AND RESOLUTIONS.

Mr. Waldron offered a concurrent resolution, in reference to printing nine hundred and sixty copies of the reports of the Central Pacific Railroad Company.

Laid over one day, under the rules.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER,
January 19th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate on yesterday amended and passed Assembly Bill No. 7—An Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county.

Also, passed Senate Bill No. 182—An Act to amend an Act entitled an Act to extend an Act entitled an Act to prevent stallions from running at large in the County of Sacramento.

Also, passed Senate Bill No. 132—An Act for engraving and printing Controller's warrants.

Also, passed Senate Bill No. 9—An Act authorizing and directing the conversion of certain legal tender notes in the State treasury into gold coin.

CURTIS,
Assistant Secretary.

Assembly Bill No. 7, above reported, ordered returned to the Senate to make corrections in reference to reported amendments.

Senate Bill No. 182, above reported, read first and second times and referred to the Committee on Agriculture.

Senate Bill No. 132, above reported, read first and second times and referred to the Committee on Printing.

Senate Bill No. 9, above reported, read first and second times.

On motion of Mr. Gildea, the rules were suspended to place the bill on its final passage.

By unanimous consent, read a third time and passed; title approved.

NOTICE.

Notice of the introduction of a bill was given as follows:

By Mr. Blankenship—An Act to fix the terms of the County Court and Probate Court of Monterey.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Duffy—An Act to amend an Act, approved March twelfth, eighteen hundred and sixty-eight, entitled an Act to provide for the drainage of the City of Sacramento and of the lands of Swamp Land District Number Two.

Read first and second times and referred to the delegation from Sacramento.

By Mr. Merritt—An Act creating a Branch Insane Asylum of California.

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

By Mr. Brown of Amador—An Act to legalize and make valid the election of certain officers, and prescribing their duties, in and for the County of Amador.

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

By Mr. King—An Act to create the County of Donner, to define its boundaries and to provide for its organization and maintenance.

Read first and second times and referred to the Committee on Counties and County Boundaries, and ordered printed.

By Mr. Haile—An Act entitled an Act to authorize B. T. Osborn and others to build a wharf in Vallejo, Solano County.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Martin of Butte—An Act to authorize the Auditor of Butte County to issue a warrant to W. S. Reese.

Read first and second times and referred to the delegation from Butte.

By Mr. M. Hayes—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

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

SENATE MESSAGE.

On motion of Mr. Hudson, the rules were suspended to take up the following Senate message:

SENATE CHAMBER,
January 20th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate on this day passed, under suspension of the rules, Senate Bill No. 208—An Act to empower the Trustees of Sonoma School District, in Sonoma County, to borrow money and provide for its payment.

ROBERTS,
Secretary.

Senate Bill No. 208, above reported, was read first and second times. Upon motion, and by unanimous consent, read a third time and passed; title approved.

INTRODUCTION OF BILLS CONTINUED.

By Mr. Naphtaly—An Act amendatory and supplementary to an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three, and the Acts amendatory thereof and supplemental thereto.

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

By Mr. Henley of Sonoma—An Act to amend section four of an Act entitled an Act to provide for the licensing of auctioneers and to define their duties and liabilities, approved April eighteenth, eighteen hundred and fifty-nine.

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

Mr. Andrews moved that the rules be suspended to take up Assembly Concurrent Resolution No. 10—Relative to establishing a mail route and Post-offices in Shasta and Siskiyou Counties.

Carried.

Amendments adopted and ordered engrossed.

GENERAL FILE.

Assembly Bill No. 88—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Passed on the file.

Assembly Bill No. 82—An Act to amend an Act to authorize the Board of Supervisors of Inyo County to levy a special tax for building purposes, approved January twenty-ninth, eighteen hundred sixty-eight.

Read a third time and passed; title approved.

Assembly Bill No. 44—An Act concerning roads and highways in the County of Humboldt.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

RESOLUTION.

Mr. Gildea, by consent, offered the following :

Resolved, That the Controller of State be and is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, in favor of H. Whittaker, for the sum of fourteen dollars.

Adopted.

GENERAL FILE CONTINUED.

Assembly Bill No. 153—An Act relating to the Board of Education of the City and County of San Francisco, and more particularly defining its powers and duties.

Passed on the file.

Assembly Bill No. 123—An Act for the relief of James S. Houseman.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

SENATE MESSAGES.

On motion of Mr. Hihn, the rules were suspended and the following Senate messages were taken up :

SENATE CHAMBER,
January 20th, 1870. }

Mr. SPEAKER: I am directed to return to your honorable body Assembly Bill No. 7—An Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county—corrected as requested.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
January 20th, 1870. }

Mr. SPEAKER: I am directed to inform your honorable body that the Senate on yesterday passed, under suspension of the rules, Senate Bill No. 87—An Act to authorize the Council of the City of Oakland to lay out, open or improve streets in said city.

And this day passed Senate Bill No. 98—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 37—An Act to amend an Act entitled an Act to define and establish the boundaries of Mono County, approved March second, eighteen hundred and sixty-six.

Also, Assembly Concurrent Resolution No. 18—Granting leave of absence to John A. Watson, County Clerk of Humboldt County.

Also, adopted Assembly Concurrent Resolution No. 21—Relative to printing reports of the State Agricultural Society.

Also, indefinitely postponed Assembly Bill No. 42—An Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

CURTIS,
Assistant Clerk.

Assembly Bill No. 7, above reported, Senate amendments to the bill concurred in.

Senate Bill No. 87, above reported, was read first and second times and referred to the Committee on Corporations.

Senate Bill No. 98, above reported, was read first and second times and referred to the Committee on the Judiciary.

GENERAL FILE RESUMED.

Assembly Bill No. 180—An Act to authorize the Board of Supervisors of Sutter County to issue bonds for road purposes.

Ordered engrossed.

Assembly Bill No. 57—An Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary regulations for the City and County of San Francisco.

Passed on the file.

Senate Bill No. 2—An Act to repeal an Act entitled an Act to prohibit the carrying of concealed weapons, approved April twenty-seventh, eighteen hundred and sixty-three.

The House refused to adopt the Assembly substitute for the bill reported by the Committee on Public Morals.

Mr. Blankenship offered an amendment to the bill.

Mr. Gildea moved to indefinitely postpone the bill.

Mr. Henley of Sonoma moved the previous question.

Sustained.

The amendment of Mr. Blankenship was adopted, on a division.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded by Messrs. Stephens, Gildea and Rockwell, and the House refused, by the following vote :

AYES—Messrs. Andrews, Coroneel, Duffy, Escandon, Fortune, Freeman, Fryer, Gildea, Hawley, M. Hayes, Hihn, Hubner, Lewelling, Martin of Butte, Martin of Siskiyou, McMillan, McMurphy of El Dorado, Merritt, Miller of El Dorado, Moynihan, Murphy of Santa Clara, Oates, O'Connell, Pool, Sammons, Satterwhite, Stephens, Waldron, Williams and Young—30.

NOES—Messrs. Appling, Berry, Biggs, Blankenship, Brown of Yuba, Crigler, De Haven, Doss, Eichelroth, Green, Griswold, Haile, Henley of Mendocino, Henley of Sonoma, Hudson, Inman, Johnson, Kelley, Koutz, Lambert, McClaskey, McMurphy of Trinity, Miller of Marin, Murphy of Del Norte and Klamath, Naphtaly, Newell, Power, Robinson, Rockwell, Romer, Ryan, Scarce, Shoemaker, Shores, Slicer, Thomas, Thurston, York and Mr. Speaker—39.

The bill was read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Gildea, McMillan and Satterwhite, and it passed, by the following vote :

AYES—Messrs. Appling, Berry, Biggs, Blankenship, Brown of Yuba, Crigler, De Haven, Doss, Eichelroth, Freeman, Gildea, Green, Griswold, Haile, Henley of Mendocino, Henley of Sonoma, Hudson, Inman, Johnson, Kelley, Koutz, Lambert, McClaskey, McMurphy of Trinity, Miller of Marin, Mooney, Murphy of Del Norte and Klamath, Naphtaly, Newell, Power, Robinson, Rockwell, Romer, Ryan, Scarce, Shoemaker, Shores, Slicer, Thomas, Thurston, York and Mr. Speaker—42.

NOES—Messrs. Carothers, Coronel, Duffy, Escandon, Fortune, Fryer, M. Hayes, Hihn, Hubner, Lewelling, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of El Dorado, Merritt, Miller of El Dorado, Moynihan, Murphy of Santa Clara, Oates, O'Connell, Pool, Sammons, Satterwhite, Stephens, Waldron, Williams and Young—29.

Title approved.

Mr. Gildea gave notice that on to-morrow he should move to reconsider the vote by which the bill passed.

REPORT.

Mr. Naphtaly, from the Judiciary Committee, by consent, made the following report:

MR. SPEAKER: The Judiciary Committee, to whom was recommitted Assembly Bill No. 113—An Act amendatory of and supplemental to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets, approved March third, eighteen hundred and sixty-eight—beg leave to report that they had said bill under consideration, report a substitute for the bill, and recommend the passage of the substitute.

J. NAPHTALY, Chairman.
JOHN W. SATTERWHITE.
J. LAMBERT,
MARTIN (of Butte),
DE HAVEN,
HENLEY (of Sonoma),
THOS. P. RYAN,
BROWN (of Amador),
B. D. MURPHY,
GEORGE R. B. HAYES.

Mr. Lambert moved to suspend the rules, to take up the bill, and consider the same now.

Lost, on a division.

On motion of Mr. Gildea, the usual number of copies of the substitute for the bill was ordered printed.

The Committee on Education were granted leave of absence for the remainder of the day.

GENERAL FILE RESUMED.

Assembly Bill No. 111—An Act to provide for the construction of a wagon turnpike road from a point at or near Ukiah City, in Mendocino County, to a point at or near Cloverdale, in Sonoma County.

Amended; amendment adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 147—An Act to authorize Morton Bourn to construct and maintain a wharf and chute at Bourn's Landing, on the Pacific Ocean, in Mendocino County.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 106—An Act to amend section one of an Act entitled an Act to fix the amount of official bonds of county officers in and for the Counties of Klamath and Del Norte, approved March twenty-sixth, eighteen hundred and sixty-eight.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 138—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

The House refused to engross the bill.

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY

HOUSE OF ASSEMBLY,
Friday, January 21st, 1870. }

House met pursuant to adjournment

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Messrs. De Haven and Walden were granted leave of absence for one day, and Mr. Thomas had indefinite leave of absence granted, on account of sickness in his family.

Mr. Munday was granted indefinite leave of absence on account of sickness, and Mr. Satterwhite for the remainder of the day.

Charles Donhouse, a page, was excused for one day on account of sickness.

PETITIONS.

Mr. Calderwood presented a protest of citizens of Placer County against being annexed to the proposed new County of Donner.

Mr. King presented a petition of citizens of Grass Valley and Nevada City for the creation of the County of Donner.

Also, a memorial from citizens of Nevada County for the creation of a new county, to be named Donner County.

The above petitions were received and referred to the Committee on Counties and County Boundaries.

Mr. Sammons presented a remonstrance of citizens of Downieville against the division of Sierra County and creation of Donner County.

Received and referred to the Committee on Counties and County Boundaries.

Mr. Moynihan presented a petition of the "Hibernia Greens," of San Francisco, for relief for losses incurred by being mustered out of service by Act of the Legislature of eighteen hundred and sixty-five.

Received and referred to the Committee on Claims.

[Mr. Haile in the chair.]

REPORTS OF STANDING COMMITTEES.

Mr. King, from the Committee on Corporations, made the following reports:

MR. SPEAKER : The Committee on Corporations, to whom was referred Senate Bill No. 105—An Act to amend an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty—have had the same under consideration, and respectfully report the bill back and recommend its passage.

KING, Chairman.

MR. SPEAKER : The Committee on Corporations, to whom was referred Assembly Bill No. 126—An Act to authorize the Wacomma Water Company to construct aqueducts over certain lands therein named, and to lay down water pipes in the public streets of the City of San Diego and Town of South San Diego—have had the same under consideration, and respectfully report the bill back and recommend its passage.

KING, Chairman.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

MR. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Concurrent Resolution No. 18—Granting leave of absence to John A. Watson, County Clerk of Humboldt County.

Also, Assembly Bill No. 37—An Act to amend an Act entitled an Act to define and establish the boundaries of Mono County, approved March second, eighteen hundred and sixty-six.

Also, Assembly Bill No. 60—An Act to authorize the County of Sacramento to issue bonds.

And this day, at eleven o'clock and fifteen minutes, presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. Kelley, from the Committee on Agriculture, made the following report :

MR. SPEAKER : Your Committee on Agriculture, to whom was referred Assembly Bill No. 184—An Act to prevent forest and field conflagrations—have had the same under consideration, and report it back, and recommend its passage.

KELLEY, Chairman.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report :

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 102—An Act to create a Bridge Fund in the County of Placer and to authorize the levy of a tax therefor.

Also, Assembly Bill No. 163—An Act to repeal an Act entitled an Act concerning hogs running at large in the Counties of Colusa, Tehama, Butte, Sonoma and Napa, approved March twenty-sixth, eighteen hundred and fifty-seven, so far as said Act applies to the Counties of Colusa and Tehama.

Also, Concurrent Resolution No. 10—Relative to establishing a mail route and Post-offices.

Also, Assembly Bill No. 77—An Act to encourage the destruction of gophers and squirrels in certain counties in this State, and to provide a bounty for the same.

MARTIN (of Butte), Chairman.

REPORTS OF SPECIAL COMMITTEES.

Mr. Inman, from the Alameda delegation, made the following report:

Mr. SPEAKER: The Alameda delegation have had under consideration the following bills, which were referred to them, and ask leave to report as follows:

Assembly Bill No. 155—An Act to amend an Act to separate the office of County Recorder from that of County Clerk, and to make the County Clerk ex officio County Auditor. They have made an amendment to the bill and recommend its passage as amended.

Also, Assembly Bill No. 203—An Act to repeal an Act to amend section eighteen of an Act to establish and maintain public pounds for the better securing of estrays and other stock in the County of Alameda. They have had the same under consideration, and report the bill back with a recommendation that it pass.

INMAN, for Delegation.

Mr. McMurphy of Trinity, from the Committee on Contingent Expenses, made the following report:

Mr. SPEAKER: The Committee on Contingent Expenses, to whom was referred a resolution asking for an assistant for the Enrolling Clerk, report the same back and recommend its passage.

McMURRY, Chairman

Mr. Brown of Amador submitted the following reports:

Mr. SPEAKER: The undersigned, one of your committee to whom was referred Assembly Bill No. 114, have had the same under consideration, and respectfully beg leave to report the same back and recommend its passage.

JOHNSON.

Mr. SPEAKER: The undersigned, one of the delegation from Amador and Alpine Counties, to whom was referred Assembly Bill No. 114—An Act for the relief of Alpine County—have had the same under consideration, and report adverse to the passage of said bill, for the following reasons:

First—The obligation sought to be removed is a contract entered into by competent parties, in good faith, for a valuable consideration, and therefore a matter to be adjudicated, if at all, by the Courts, and not by the Legislature.

Second—It borders too close to repudiation of an honest obligation for any sovereign county of California to engage in.

Third—The bill is not accompanied by any petitions or requests known to the House, and it may be that the citizens of Alpine County do not desire to repudiate their honest and legal contracts and obligations.

Fourth—The warrants, claim, debt and obligation referred to in the bill has long since been sold, transferred and delivered to a third person or party, for a valuable consideration, and is now in the hands of an innocent holder, who purchased the same in good faith, and therefore cannot be reached by legislation.

Other causes and reasons why the bill should not pass can and will be urged.

BROWN of Amador.

On motion of Mr. Brown of Amador, the above reported bill, together with the reports, was referred to the Judiciary Committee.

MOTIONS AND RESOLUTIONS.

The following concurrent resolution, offered by Mr. Waldron on yesterday, was taken up :

Resolved by the Assembly, the Senate concurring, That nine hundred and sixty copies of the annual reports of the Central Pacific Railroad Company of California be printed for the use of the two Houses.

Adopted.

The following resolution, reported from the Committee on Contingent Expenses, was taken up :

Resolved, That the Enrolling Clerk be and he hereby is authorized to employ an assistant, at the same per diem allowed to Copying Clerks, payable out of the Contingent Fund of the Assembly.

Adopted.

Mr. Gildea offered the following :

Resolved, That a committee of three be appointed to inquire if such changes can be made as will permit the Clerks at the desk to see the clock.

Mr Horan moved to lay the resolution on the table.

Lost.

Mr. Romer offered the following substitute :

Resolved, That the Sergeant-at-Arms be authorized and instructed to procure a small stand clock and place the same upon the Clerk's desk.

Substitute adopted, and the resolution, as amended, adopted.

Mr. Merritt offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That the Joint Committee on Hospitals be and are hereby requested to visit the grounds and buildings near the City of Marysville, formerly occupied as a State Reform School, for the purpose of recommending its adaptability for some use for State purposes, or for some disposition of the same.

Rules suspended and, under the operation of the previous question, as moved by Mr. Murphy of Del Norte, the resolution was adopted.

Mr. Inman offered a resolution to authorize the Speaker to appoint a committee of three members to prepare a bill for the purpose of a more general and complete equalization of the assessment of real and personal property for revenue purposes in this State.

Mr. Murphy of Santa Clara moved to lay on the table.

Carried.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER,
January 21st, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate on yesterday passed, under suspension of the rules, Senate Bill No. 127—An Act to authorize the Assessor of the City and County of San Francisco to appoint deputies.

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
January 21st, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate on this day amended and passed Assembly Bill No. 158—An Act in relation to the assessment of property in Tuolumne County for the year A. D. eighteen hundred and sixty-nine.

CURTIS,
Assistant Secretary.

Senate Bill No. 127, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Assembly Bill No. 158, above reported, Senate amendment to bill concurred in.

NOTICES.

Notices of the introduction of bills were given as follows:

By Mr. King—An Act to legalize the name of Lake Bigler.

By Mr. Rockwell—An Act to punish persons for the improper use and display of deadly weapons.

By Mr. Kelley—An Act to protect agriculture and to prevent the trespassing of animals upon private property in this State.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

REPORTS.

Mr. Biggs, from the Committee on Public Buildings and Grounds, by leave, made the following report :

MR. SPEAKER : The Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 136—An Act to amend an Act entitled an Act to provide for the construction of the State Capitol in the City of Sacramento, approved March twenty-ninth, eighteen hundred and sixty—have had the same under consideration and report the same back with amendment, and recommend the passage of the bill as amended.

BIGGS, for Committee.

Mr. Fortune, from the San Francisco delegation, by leave, made the following report :

MR. SPEAKER : The San Francisco delegation, to whom was referred Assembly Bill No. 152—An Act for the relief of Patrick Creighton, James Brennan and Patrick Donohue—have had the same under consideration, and have instructed me to report the bill back to the House and recommend its passage.

FORTUNE, for Delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Murphy of Del Norte—An Act amendatory of an Act entitled an Act supplementary to an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba and Santa Clara, approved May seventeenth, eighteen hundred and sixty-one.

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

By Mr. Doss—An Act to establish the California State Board of Immigration, to prescribe its duties and provide means for the performance thereof.

Read first and second times and referred to the Joint Committee on Immigration.

By Mr. Inman, by request—An Act to legalize certain conveyances made by Gretta C. Thomson.

Read first and second times and referred to the Judiciary Committee.

By Mr. Lambert—An Act more fully defining the crime of larceny.

Read first and second times and referred to the Judiciary Committee.

By Mr. Hudson—An Act to provide for the improvement of the navigation of Russian River, and to declare said river a navigable stream.

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

By Mr. Ryan—An Act to amend an Act entitled an Act to authorize the formation of corporations to provide the members thereof with homesteads, or lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty-one.

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

By Mr. Fryer—An Act to ratify certain acts and ordinances of the Mayor and Common Council of the City of Los Angeles.

Read first and second times and referred to the Los Angeles delegation.

SPECIAL ORDER.

At one o'clock and fifteen minutes P. M. Mr. Henley of Sonoma moved to discharge the order making Senate substitute for Senate Bill No 4 the special order for two o'clock P. M. this day, and that the same be considered now.

Agreed to.

Mr. Miller of El Dorado was excused from further attendance during the afternoon session.

Substitute for Senate Bill No. 4—An Act to regulate amusements.

Mr. Biggs offered an amendment to section two of the bill.

[Mr. Andrews in the chair.]

Mr. Biggs, by consent, withdrew his amendment.

Mr. Duffy offered an amendment, as follows: Amend section first as follows: strike out all after the word "imprisonment," in lines thirteen, fourteen and fifteen.

Mr. G. R. B. Hayes moved the previous question.

Sustained.

The amendment offered by Mr. Duffy was lost.

Bill read a third time.

On the passage of the bill the ayes and noes were demanded by Messrs. Naphtaly, Rockwell and Oates, and it passed, by the following vote:

AYES—Messrs. Andrews, Berry, Blankenship, Brown of Yuba, Coronel, Crigler, Doss, Eichelroth, Escandon, Finney, Fortune, Gildea, Griswold, Haile, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Hihn, Horan, Hubner, Hudson, Inman, Johnson, King, Koutz, Lambert, Martin of Siskiyou, McClaskey, McMurry of El Dorado, Merritt, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, O'Connell, Odell, Rockwell, Ryan, Satterwhite, Shoemaker, Shores, Slicer, Stephens, Williams, York, Young and Mr. Speaker—51.

NOES—Messrs. Appling, Biggs, Calderwood, Carothers, Duffy, Fryer, Green, Martin of Butte, Mooney, Oates, Power and Waldron—12.

Title approved.

Mr. Berry gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

Mr. Gildea, in accordance with previous notice, moved to reconsider the vote by which Senate Bill No. 2 passed on yesterday.

Mr. Gildea then moved that the motion to reconsider be made the special order for Wednesday next, at two o'clock and thirty minutes P. M.

Mr. Haile moved to indefinitely postpone the motion to reconsider the vote, and making it the special order for Wednesday next.

The motion of Mr. Gildea, to make the motion to reconsider the special order for two o'clock on Wednesday next, was lost, on a division.

At four o'clock and twenty minutes P. M. Mr. Martin of Butte moved to adjourn.

On which the ayes and noes were demanded by Messrs. Haile, Blankenship and Mooney, and the vote was taken, as follows:

AYES—Messrs. Andrews, Appling, Berry, Brown of Yuba, Carothers, Doss, Duffy, Eichelroth, Fortune, Fryer, Gildea, Griswold, Hawley, G. R.

B. Hayes, M. Hayes, Hihn, Hubner, King, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, Merritt, Miller of El Dorado, Mooney, Moynihan, Oates, O'Connell, Sammons, Shores, Slicer, Stephens and Young—33.

NOES—Messrs. Biggs, Blankenship, Crigler, Finney, Haile, Henley of Mendocino, Hudson, Inman, Koutz, Lambert, McMurry of Trinity, Miller of Marin, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Odell, Power, Rockwell, Shoemaker, Waldron, Williams and Mr. Speaker—23.

And the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, January 22d, 1870. }

House met pursuant to adjournment.

Speaker pro tem. in the chair.

Roll called.

Quorum present

Prayer by the Chaplain.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Messrs. Rogers (the Speaker), Haile, De Haven, Romer, Griswold, McMillan were each granted leave of absence for one day. The Committee on State Normal School were granted leave of absence for two days.

The Committee on State Hospitals were granted indefinite leave of absence.

PETITIONS.

Mr. Walden presented a petition from Stanislaus County, for the repeal of the fee and salary bill, and for increase of salary of county officers.

Received and referred to the Committee on Fees and Salaries.

Mr. Scarce presented a petition from the Trustees of Swamp Land District Number Seventy-seven, in Colusa County, asking for action at the hands of the Legislature of California, legalizing an organization formed in that county on the eleventh day of September, eighteen hundred and sixty-eight, for the purpose of reclaiming certain swamp lands, and providing for the immediate collection of a certain tax by them levied.

Received and referred to the Committee on Swamp and Overflowed Lands.

REPORTS OF STANDING COMMITTEES.

Mr. G. R. B. Hayes, from the Committee on Engrossment, made the following report :

Mr. SPEAKER : Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 106—An Act to amend section one of an Act entitled an Act to amend an Act entitled an Act to fix the amount of official bonds of county officers in and for the Counties of Klamath and Del Norte, approved March twenty-sixth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 44—An Act concerning roads and highways in the County of Humboldt.

Also, Assembly Bill No. 123—An Act for the relief of James S. Houseman.

Also, Assembly Bill No. 147—An Act to authorize Morton Bourn to construct and maintain a wharf and chute at Bourn's Landing, on the Pacific Ocean, in Mendocino County.

Also, Assembly Bill No. 180—An Act to authorize the Board of Supervisors of Sutter County to issue bonds for road purposes.

GEORGE R. B. HAYES, of Committee.

Mr. Horan, from the Committee on Claims, made the following report :

Mr. SPEAKER : Your committee, to whom was referred Assembly Bill No. 182—An Act to authorize the Controller of State to credit the Treasurer of Tuolumne County with certain State poll tax receipts—having had the same under advisement, respectfully report said bill back and recommend its passage.

Also, Assembly Bill No. 89—An Act to pay John Mullen for services rendered the State of California, in reporting and preparing testimony taken in certain swamp land trials, held in this State by an Act of Congress, approved July twenty-third, eighteen hundred and sixty-six—having had the same under consideration, respectfully report the same back and recommend its passage, with the following amendment : By inserting in section first, lines second and third, the words "two thousand dollars."

Also, Assembly Bill No. 191—An Act for the relief of John W. Ball—having examined the same, respectfully report said bill back and recommend its passage.

Also, Assembly Bill No. 166—An Act for the relief of Samuel Clayton—having had the same under consideration, respectfully report said bill back and recommend its passage.

Also, Assembly Bill No. 171—An Act for the relief of John Cartheche, Deputy Sheriff of El Dorado County—having had the same under consideration, and your committee being under the impression that there are certain legal points involved in said bill which they are unable to determine, respectfully report the same back and recommend that it be referred to the Judiciary Committee.

HORAN, Chairman.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 158—An Act in relation to the assessment of property in Tuolumne County for the year A. D. eighteen hundred and sixty-nine—and this day, at eleven o'clock, presented the same to the Governor for his approval

BROWN (of Yuba), for Committee.

REPORTS OF SELECT COMMITTEES.

Mr. Duffy, from the Sacramento delegation, made the following report:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 204—An Act to amend an Act, approved March twelfth, eight hundred and sixty-eight, to provide for the drainage of the City of Sacramento and swamp lands in District Number Two—beg leave to report the same back and recommend its passage.

DUFFY, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Murphy of Del Norte offered the following resolution:

Resolved, That Dennis Spencer be and he is hereby appointed Assistant Copying Clerk of this Assembly, at the same per diem as Copying Clerks, payable out of the Contingent Fund.

Referred to the Committee on Contingent Expenses.

Mr. Crigler offered the following resolution:

Resolved, That Fenwick Fisher be and he is hereby authorized and directed to complete the copying of the minutes, and to write up and complete the Appendices to the Assembly Journals of the present session, at a compensation of fifteen cents per folio, payable out of the Contingent Fund of the Assembly.

On motion of Mr. Naphtaly, laid on the table

Mr. Rockwell offered a concurrent resolution in reference to the various resolutions of a political character which have been introduced in each branch of the Legislature, proposing that a joint committee of seven be appointed to draft resolutions expressive of the sense of the people of this State

Laid over one day, under the rules

Mr. McMurry of Trinity offered the following:

Resolved, That this House hereafter meet at ten o'clock A. M.

Laid over one day.

Mr. Crigler, from the Joint Committee on State Prison, offered the following:

Mr. SPEAKER: The Joint Committee of the Senate and Assembly on the State Prison respectfully present the following:

Resolved, That the use of this hall be granted to Dr. Lucky and Alpheus Bull, for the discussion of matters connected with the discipline and government of the State Prison, on Thursday evening, the third of February, eighteen hundred and seventy.

CRIGLER, Chairman.

Adopted.

Mr. Horan offered the following resolution :

Resolved, That a committee of five be appointed by the Chair, to go to San Francisco and examine into the merits of Assembly Bill No. 113, introduced by Mr. Naphtaly, in reference to the modification of grades in San Francisco.

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

Mr. Duffy rose to speak to the question.

The Chair decided the question not debatable.

Mr. Biggs rose to a question of privilege, stating that Mr. Duffy rose before the motion to lay the resolution on the table was seconded, and was entitled to the floor, and therefore in order.

The Chair decided that the motion to lay on the table was duly made and seconded, and the question was not debatable.

Mr. Biggs appealed, upon the point that Mr. Duffy was entitled to the floor.

Upon the question, "Shall the decision of the Chair stand as the judgment of the House?" the Chair was sustained.

On the motion to lay the resolution on the table, the ayes and noes were demanded, by Messrs. Inman, Doss, and Murphy of Del Norte, and the House refused, by the following vote :

AYES—Messrs. Andrews, Brown of Amador, Calderwood, Duffy, Fortune, Gildea, Hihn, Hubner, Hudson, Johnson, McMurry of El Dorado, McMurry of Trinity, Murphy of Santa Clara, O'Connell, Rockwell, Ryan, Satterwhite and Shores—18.

NOES—Messrs. Appling, Berry, Biggs, Blankenship, Brown of Yuba, Colonel Crigler, Doss, Eichelroth, Escandon, Finney, Freeman, Fryer, Green, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Horan, Inman, Kelley, King, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Murphy of Del Norte and Klamath, Naphtaly, Newell, Oates, Odell, Pool, Power, Robinson, Scarce, Shoemaker, Slicer, Stephens, Thurston, Walden, Waldron, Williams, York and Young—49.

Mr. G. R. B. Hayes offered to amend, as follows: "But such committee shall receive no mileage, and shall report on Tuesday next."

Accepted.

Mr. Murphy of Santa Clara offered a substitute: "That a committee of five be appointed to examine Second street cut, and report Tuesday next."

Mr. Biggs moved to indefinitely postpone the whole matter.

Lost, on a division.

[Mr. Martin of Siskiyou in the chair]

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

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

Speaker pro tem. in the chair.

Roll called.

Quorum present.

Messrs. Biggs and Kelley were granted leave of absence for one day, and Messrs. Sammons, Power, Appling, Stephens and Koutz, were excused for the afternoon session.

Mr. Horan offered to withdraw the resolution offered by him, and which was now under consideration.

Objected to.

Mr. Rockwell offered the following amendment to the amendment:

Resolved, That this Assembly do now adjourn, to meet at the Second street cut, at eleven o'clock A. M., on Monday next, in order to intelligently consider that great work.

Mr. Blankenship moved the previous question.

Sustained.

The amendment offered by Mr. Rockwell was lost.

The amendment offered by Mr. Murphy of Santa Clara was lost.

The motion of Mr. Horan, as amended, was lost.

Mr. Horan, from the Committee on Claims, by leave, made the following report:

MR. SPEAKER: Your committee, to whom was referred Senate Bill No. 33—An Act for the relief of L. P. Hall and Samuel J. Garrison—having had the same under advisement, respectfully report said bill back to the House and recommend its passage.

HORAN, Chairman.

Mr. Berry moved, in accordance with previous notice, to reconsider the vote by which Senate Bill No. 4 passed on yesterday.

Mr. Lambert moved to indefinitely postpone the motion to reconsider.

On which the ayes and noes were demanded by Messrs. Walden, Berry and Rockwell, and the motion prevailed, by the following vote:

AYES—Messrs. Andrews, Blankenship, Brown of Amador, Brown of Yuba, Coroneel, Crigler, Eichelroth, Fortune, Freeman, Gildea, Green, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hudson, Lambert, Lewelling, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Murphy of Santa Clara, Odell, Pool, Rockwell, Satterwhite, Scarce, Shores, Stephens, Walden, Williams, York and Young—37.

NOES—Messrs. Berry, Calderwood, Doss, Duffy, Finney, Martin of Butte, Mooney, Robinson and Waldron—9.

Mr. Horan moved to suspend the rules, to take up Senate Bill No. 33.

Lost.

Mr. Satterwhite moved a call of the House.

Lost.

At two o'clock and thirty-seven minutes P. M. Mr. Fortune moved to adjourn.

Lost.

NOTICE

On leave, the rules were suspended and Mr. M. Hayes gave notice for an Act to authorize the Board of Supervisors of the City and County of San Francisco to appoint a Board of Engineers to report a proper system of grades and sewerage for said city and county.

INTRODUCTION OF BILLS.

On motion, the rules were suspended to allow Mr. McMurry of Trinity to introduce the following bill:

An Act amendatory of and supplementary to an Act entitled an Act to provide for the revision and compilation of the laws of the State of California and the publication thereof, approved March twenty-eighth, eighteen hundred and sixty-eight

Read first and second times and referred to the Judiciary Committee.

Mr. Mooney moved to suspend the rules to take up the general file.

Lost.

At two o'clock and forty-five minutes P. M. Mr. Stephens moved to adjourn to half-past two o'clock on Monday.

Mr. Martin of Butte moved that the House do now adjourn.

Lost.

The motion of Mr. Stephens was carried, and the House adjourned to Monday, the twenty-fourth instant, at two o'clock and thirty minutes P. M.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY,

HOUSE OF ASSEMBLY,
Monday, January 24th. 1870. }

House met pursuant to adjournment

Speaker in the chair.

Roll called.

Quorum present

Prayer by the Rev. Mr. Gober.

Journal of Saturday read and approved.

LEAVE OF ABSENCE.

Messrs. Moynihan, Ryan, Biggs, Gildea, McMurry of El Dorado, Lambert, Escandon, McClaskey, Odell, Murphy of Del Norte and Lewelling were granted leave of absence for one day, and Messrs. Slicer and Kelley for two days, and Messrs. Scarce, Berry, Koutz and Horan for the afternoon session.

MOTIONS AND RESOLUTIONS.

. Mr. Blankenship offered a resolution in reference to a change in the order of business, to make motions and resolutions the last order of business.

Laid over one day, under the rules.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER,
January 22d, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate on this day, under suspension of the rules, passed Senate Bill No 123—An Act to re-incorporate the City of Stockton, and amendatory of an Act entitled an Act to re-incorporate the City of Stockton, approved April twenty-first, eighteen hundred and sixty-two.

And also this day adopted Senate Concurrent Resolution No. 20—Authorizing a joint convention of the two Houses in the Assembly Chamber, on Tuesday, January twenty-fifth, at twelve o'clock M., for the purpose of electing Trustees of the State Library.

CURTIS,
Assistant Secretary.

SENATE CHAMBER.
January 22d, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate on yesterday passed Senate Bill No 42—An Act to appropriate money to pay for services rendered the State by C F Overton.

And this day concurred in Assembly Concurrent Resolution No 22—Relative to visiting certain grounds in the vicinity of Marysville, by the Joint State Hospital Committee.

Also, this day concurred in Assembly Concurrent Resolution No 23—Relative to printing Central Pacific Railroad reports.

CURTIS,
Assistant Secretary.

Senate Bill No. 123, above reported, read first and second times.

On motion of Mr. Hubner, the rules were suspended, and, by unanimous consent, the bill was read a third time and passed; title approved.

Senate Concurrent Resolution No 20, above reported, was concurred in.

Senate Bill No. 42, above reported, read first and second times and referred to the Committee on Claims.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Waldron—An Act for the relief of W. D. Perkins.

Read first and second times and referred to Committee on Claims.

By Mr. Fortune—An Act to provide for the prevention of double taxation of real estate

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

By Mr. Hihn—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven, approved March eighteenth, eighteen hundred and sixty-two.

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

Also, an Act to amend an Act entitled an Act to provide revenue for the support of this State, approved May seventeenth, eighteen hundred and sixty-one.

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

By Mr. Freeman—An Act to encourage the production and manufacture of sugar from sugar beets in California.

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

By Mr. King—An Act to legalize the name of Lake Bigler

Read first and second times and ordered to the general file and to be printed

By Mr. Romer—An Act to grant to certain persons the right of way for a railroad track within the corporate limits of the City and County of San Francisco, and to run horse cars thereon.

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

By Mr. Rockwell—An Act to prevent the improper use and display of deadly weapons.

Read first and second times and referred to the Judiciary Committee.

By Mr. Naphtaly—An Act to amend an Act entitled an Act concerning conveyances, passed April sixteenth, eighteen hundred and fifty, and the Act amendatory thereto, passed February fifteenth, eighteen hundred and sixty-four, approved April second, eighteen hundred and sixty-six.

Read first and second times and referred to the Judiciary Committee.

By Mr. De Haven (by request)—An Act to legalize the survey of Clark's addition to the Town of Eureka.

Read first and second times and referred to the Judiciary Committee

By Mr. Green—An Act to fix the amount of the official bond of the Sheriff of Calaveras County.

Read first and second times and referred to the Judiciary Committee.

By Mr. Robinson—An Act to district the County of San Diego and to provide for the election of Supervisors.

Read first and second times and referred to the Judiciary Committee

By Mr. Robinson—An Act granting the right to construct and maintain a public toll bridge across the Colorado River, below the junction of that stream with the Gila River, to certain parties, their associates or assigns, therein named.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Henley of Sonoma—An Act to provide for the settlement of statements on appeal, and on motion to set aside reports of Commissioners in certain cases.

Read first and second times and referred to the Judiciary Committee.

By Mr. Blankenship—An Act to fix the terms of the County Court and Probate Court of the County of Monterey.

Read first and second times and ordered on general file.

GENERAL FILE.

Mr. Rockwell moved to suspend the rules to take up Assembly Bill No. 113, to consider it now, it being an Act amendatory of supplemental to an Act entitled an Act to authorize the Board of Supervisors of the

City and County of San Francisco to modify the grades of certain streets,
approved March thirtieth, eighteen hundred and sixty-eight.

Carried

On motion of Mr. Rockwell, the substitute for the original bill was adopted.

Mr. Rockwell moved to consider the bill engrossed, and that it be placed on its third reading and passage.

Mr. Shoemaker moved the previous question.

Sustained

The question on considering the bill engrossed and placing it on its third reading and passage prevailed.

Read a third time and passed; title approved

Assembly Bill No. 141—An Act to authorize the Board of Supervisors of Mono County to transfer moneys from one fund to another.

Read a third time and passed; title approved

At four o'clock and twenty-two minutes P. M. Mr. De Haven moved to adjourn

Lost.

Assembly Bill No. 38—An Act providing for a preliminary survey of the Harbor of Santa Cruz and Salinas Slough in Monterey Bay.

Read a third time

On the passage of the bill the ayes and noes were demanded by Messrs. Andrews, McMurry of Trinity and Munday, and it passed, by the following vote:

AYES—Messrs. Blankenship, Coronel, Finney, Fortune, Green, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Johnson, Miller of Marin, Mooney, Murphy of Santa Clara, Naphataly, O'Connell, Pool, Robinson, Romer, Satterwhite, Waldron, Williams, York, Young and Mr. Speaker—27

NOES—Messrs. Andrews, Biggs, Brown of Yuba, Crigler, De Haven, Duffy, Freeman, Haile, Hudson, Inman, Martin of Butte, Martin of Siskiyou, McMurry of Trinity, Merritt, Miller of El Dorado, Munday, Newell, Oates, Power, Shoemaker, Shores and Walden—23.

At four o'clock and thirty-three minutes P. M., on motion of Mr. Finney, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, January 25th, 1870. }

House met pursuant to adjournment.

Speaker in the chair

Roll called

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Appling was granted indefinite leave of absence on account of sickness.

PETITION.

Mr Hihn presented a petition of the Board of Supervisors of Santa Cruz County for the repeal of portions of the fee and salary bill of eighteen hundred and sixty-eight

Received and referred to the Committee on Fees and Salaries

REPORTS OF STANDING COMMITTEES.

Mr. Naphtaly, from the Judiciary Committee, made the following report :

MR SPEAKER : The Judiciary Committee, to whom was referred Assembly Bill No 187—An Act concerning the office of the County Clerk in the City and County of San Francisco—respectfully report that they have had said bill under consideration, and report the same back and recommend that it be referred to the San Francisco delegation.

They have also considered Assembly Bill No 84—An Act to authorize Adela Thompson to convey real estate—and respectfully report the same back with a substitute, and recommend the passage of the substitute.

They have also considered Assembly Bill No 41—An Act to create the office of Bank Commissioner, and to prescribe his duties and powers—and respectfully report the same back, and recommend the passage of the bill

They have also considered Assembly Bill No. 206—An Act to legalize and make valid the election of certain officers, and to prescribe their duties, in and for the County of Amador—and respectfully report the same back with a substitute, and recommend the passage of the substitute.

They have also considered Assembly Bill No. 170—An Act to authorize the Governor of the State of California to appoint three additional Notaries Public for the County of Santa Clara—and respectfully report the same back and recommend the passage of the bill.

NAPHTALY, Chairman.

Mr. Hihn, from the Committee on Fees and Salaries, made the following report :

MR SPEAKER : Your committee, to whom was referred Assembly Bill No 53—An Act to provide for the payment of the salary of the County Judge of Kern County—he ewith report the same back with a substitute, and recommend the passage of the substitute.

HIHN, Chairman.

Mr Brown of Yuba, from the Committee on Enrolment, made the following report :

MR SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 7—An Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county.

And this day, at eleven o'clock and five minutes, presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. Martin of Butte made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 111—An Act to provide for the construction of a wagon turnpike road from a point at or near Ukiah City, in Mendocino County, to a point at or near Cloverdale, in Sonoma County.

MARTIN (of Butte), Chairman

MOTIONS AND RESOLUTIONS

Mr. Munday offered a concurrent resolution in reference to instructing our Senators and Representatives in Congress to endeavor to have the United States income tax abandoned after this year.

Read first and second times and referred to the Committee on Federal Relations

The following resolution, offered by Mr. Blankenship on yesterday, was taken up:

Resolved, That the order of business of the Assembly be changed as follows: That the eighth order, being "Motions and Resolutions," be made the fifteenth order of business, and that the order of business be renumbered to correspond with this change.

Lost, on a division.

Mr. Rogers offered the following resolution:

Resolved, That the Committee on Commerce and Navigation be and they are hereby requested to inquire into the expediency of setting aside a portion of the State's interest in the harbor of San Francisco for the purpose of erecting thereon a dock, basin and warehouses, where wheat, wine, wool, and all other products of this State, not of a perishable nature, may be landed and stored for a certain length of time, free of charge to the raiser or producer of said article; also, as to allowing ships to load said grain and products at said wharves free of charge. Said committee to report by bill or otherwise, as they may think for the best interest of the State.

Adopted

The following resolution, offered by Mr. McMurry, was now taken up:

Resolved, That this House hereafter meet at ten o'clock A. M

Adopted, on a division.

Mr. Naphtaly offered the following resolution:

Resolved, That the Sergeant-at-Arms of this House be authorized to procure for the use of members of this House, five copies of Hittell's Digest, to be paid for out of the Contingent Fund of the Assembly, and it shall be the duty of the said Sergeant-at-Arms to deposit the five copies in the State Library upon the adjournment of this House.

Adopted.

CONCURRENT RESOLUTIONS.

The following concurrent resolution, offered by Mr. Rockwell on the twenty-second instant, was taken up :

WHEREAS, Several resolutions of a political character have been introduced in each branch of the present Legislature ; and whereas, it would be unnecessary and superfluous to adopt more than one set of resolutions in relation to the political condition of the nation ; and whereas, it would appear invidious to adopt any one set of the resolutions offered, to the exclusion of the remainder of the able and patriotic resolutions already offered ; therefore be it

Resolved by the Assembly, the Senate concurring, That a joint committee of seven (four on the part of the Assembly and three on the part of the Senate) be appointed to draft resolutions fully expressive of the sense of the people of the State of California, as represented in Senate and Assembly, in relation to the proposed Fifteenth Amendment, and to the general political condition of the country, in order that such resolutions may be formally transmitted to the various Legislatures of our sister States.

Adopted.

NOTICE.

Notice of the introduction of a bill was given as follows :

By Mr. Henley of Sonoma—An Act amendatory of an Act, approved March thirteenth, eighteen hundred and sixty-six, entitled an Act to amend an Act entitled an Act to divide the State into Congressional districts, and fix the time to elect Representatives to Congress, approved April first, eighteen hundred and sixty-four.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. G. R. B Hayes (by request)—An Act relating to the inspection of steam boilers, and for the better protection of life and property against accidents by steam boiler explosions.

Read first and second times and referred to the Committee on Commerce and Navigation

By Mr. Searce—An Act legalizing the assessment and levy of taxes for reclamation purposes, in Swamp Land District Number Seventy-seven, in the County of Colusa.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. McMurry of El Dorado—An Act to legalize assessments of State and county taxes in the several townships of El Dorado County.

Read first and second times and ordered to general file

By Mr. Haile—An Act to promote the study of anatomy.

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

By Mr. Moynihan—An Act to authorize and empower John Dolbera, W. M. Carson, David R. Jones and Hans H. Brehur. or their assigns, to construct and maintain dams, booms and piers on Elk River, in Humboldt County, and to remove all obstructions in the channel of said river which may interfere with logging on the same.

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

By Mr. Moynihan—An Act supplementary to and explanatory of an

Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State, approved May twentieth, eighteen hundred and sixty-one, approved March thirtieth, eighteen hundred and sixty-eight.

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

By Mr. Newell—An Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto.

Read first and second times and referred to the Judiciary Committee.

By Mr. M. Hayes—An Act authorizing the Board of Supervisors of the City and County of San Francisco to provide plans for a proper system of grades and sewers.

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

By Mr. Blankenship—An Act to re-incorporate the City of Monterey.

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

At eleven o'clock and fifty minutes A. M., on motion of Mr. Gildea, the House took a recess for five minutes.

REASSEMBLED.

At five minutes before twelve o'clock M. the House reassembled.

Speaker in the chair.

Roll called

Quorum present:

IN JOINT CONVENTION

The following are the proceedings in joint convention for the purpose of electing four Trustees of the State Library, to fill vacancies which will occur by the expiration of the terms of Joseph W. Winans, H. W. Harkness, C. G. W. French and W. C. Belcher

The hour of twelve o'clock M. having arrived, the joint convention was called to order by the President of the Senate in conjunction with the Speaker of the House

The rolls of the Senate and Assembly were called by the Secretary of the Senate and the Chief Clerk of the Assembly, and the following Senators and Assemblymen responded:

Senators—Messrs. Banvard, Beach, Betge, Chappell, Comte, Conn, Farley, Fowler, Green, Hager, Hutchings, Irwin, Kincaid, Lawrence, Lewis, Maclay, Mandeville, Minis, Morrill, Murch, O'Connor, Perkins, Roberts, Saunders, Tompkins, Turner and Wilson.

Assemblymen—Messrs. Andrews, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Coronel, Crigler, De Haven, Duffy, Escandon, Finney, Fortune, Freeman, Gildea, Green, Haile, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Johnson, Kelley, King, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Munday, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Odell, Pool, Power, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Stephens, Walden, Waldron, Williams, York and Mr. Speaker.

The President of the Senate directed Senate Concurrent Resolution No. 20 to be read, as follows :

Resolved by the Senate, the Assembly concurring, That the two Houses meet in joint convention in the Assembly Chamber, at twelve o'clock M., on Tuesday, January twenty-fifth, for the purpose of electing four Trustees of the State Library, to fill the vacancies which will occur by the expiration of the terms of Joseph W. Winans, H. W. Harkness, C. G. W. French and W. C. Belcher.

Mr. Mandeville moved that the joint convention proceed to elect the four Trustees for the State Library by voting for four candidates at once.
Carried.

Nominations being in order, Mr. Farley placed in nomination J. W. Coffroth, J. R. McConnell, J. C. Goods and John W. Armstrong.

Mr. Roberts nominated Joseph W. Winans, H. W. Harkness, W. C. Belcher and C. G. W. French.

The rolls were called, with the following result :

| SENATORS. | Coffroth..... | McConnell.. | Armstrong. | Goods..... | Winans..... | Harkness.. | Belcher.... | French..... |
|-----------------|---------------|-------------|------------|------------|-------------|------------|-------------|-------------|
| Banvard..... | 1 | 1 | 1 | 1 | | | | |
| Beach..... | | | | | 1 | 1 | 1 | 1 |
| Betge..... | 1 | 1 | 1 | 1 | | | | |
| Chappell..... | | | | | 1 | 1 | 1 | 1 |
| Comte..... | 1 | 1 | 1 | 1 | | | | |
| Conn..... | 1 | 1 | 1 | 1 | | | | |
| Farley..... | 1 | 1 | 1 | 1 | | | | |
| Fowler..... | 1 | 1 | 1 | 1 | | | | |
| Green..... | | | | | 1 | 1 | 1 | 1 |
| Hager..... | 1 | 1 | 1 | 1 | | | | |
| Hutchings..... | 1 | 1 | 1 | 1 | | | | |
| Irwin..... | 1 | 1 | 1 | 1 | | | | |
| Kincaid..... | 1 | 1 | 1 | 1 | | | | |
| Lawrence.. | 1 | 1 | 1 | 1 | | | | |
| Lewis..... | 1 | 1 | 1 | 1 | | | | |
| Maclay..... | 1 | 1 | 1 | 1 | | | | |
| Mandeville..... | 1 | 1 | 1 | 1 | | | | |
| Minis..... | 1 | 1 | 1 | 1 | | | | |
| Morrill..... | 1 | 1 | 1 | 1 | | | | |
| Murch..... | | | | | 1 | 1 | 1 | 1 |
| O'Connor..... | 1 | 1 | 1 | 1 | | | | |
| Perkins..... | | | | | 1 | 1 | 1 | 1 |
| Roberts..... | | | | | 1 | 1 | 1 | 1 |
| Saunders..... | 1 | 1 | 1 | 1 | | | | |
| Tompkins. . | 1 | 1 | 1 | 1 | | | | |
| Turner..... | | | | | 1 | 1 | 1 | 1 |
| Wilson..... | 1 | 1 | 1 | 1 | | | | |
| Totals..... | 20 | 20 | 20 | 20 | 7 | 7 | 7 | 7 |

| ASSEMBLYMEN. | Coffroth..... | McConnell. | Armstrong. | Goods..... | Watts..... | Harkness... | Bleher..... | French..... |
|---------------------------|---------------|------------|------------|------------|------------|-------------|-------------|-------------|
| Andrews..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Berry..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Biggs..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Blankenship..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Brown of Amador..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Brown of Yuba..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Calderwood..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 |
| Coronel..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Crigler..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| De Haven..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 |
| Duffy..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 |
| Escandon..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Finney..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 |
| Fortune..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Freeman..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Gildea..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Green..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Haile..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Hawley..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Hayes, G. R. B..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Hayes, M..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Henley of Mendocino..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Henley of Sonoma..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Horan..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Hubner..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Hudson..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Inman..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Johnson..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Kelley..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| King..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Koutz..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 |
| Lambert..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Lowelling..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 |
| Martin of Butte..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Martin of Siskiyou..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| McClaskey..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| McMillan..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| McMurry of El Dorado..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| McMurry of Trinity..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Merritt..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Miller of El Dorado..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Miller of Marin..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Mooney..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Moynihan..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Munday..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Murphy of Del Norte..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Naphtaly..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Oates..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |

| ASSEMBLYMEN. | Coffroth.... | McConnell. | Armstrong. | Goods..... | Winans | Harkness.. | Belcher | French..... |
|-------------------|--------------|------------|------------|------------|-------------|------------|--------------|-------------|
| O'Connell | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Odell..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Pool..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Power..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 |
| Rockwell..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Romer | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Ryan | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Sammons ..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 |
| Satterwhite | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Scarce | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Shoemaker..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Shores..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Stephens | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Walden | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Waldron..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 |
| Williams ..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 |
| York..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 |
| Mr. Speaker | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... |
| Totals | 55 | 55 | 55 | 55 | 11 | 11 | 11 | 11 |

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 93 |
| Necessary to a choice..... | 47 |
| J. W. Coffroth received..... | 75 |
| J. R. McConnell received..... | 75 |
| J. W. Armstrong received | 75 |
| J. C. Goods received..... | 75 |
| J. W. Winans received..... | 18 |
| H. W. Harkness received..... | 18 |
| C. G. W. French received..... | 18 |
| W. C. Belcher received..... | 18 |

Whereupon, the President announced that J. W. Coffroth, J. R. McConnell, J. W. Armstrong and J. C. Goods, having received a majority of all the votes cast, a majority of all the members elected to both Houses being present and voting, were duly elected Trustees of the State Library, to serve for the term of four years from the twenty-eighth of February next.

Proceedings of the joint convention were read and approved.

At twelve o'clock and forty-five minutes P. M., on motion of Mr. Lawrence, the joint convention adjourned.

The House now took a recess.

REASSEMBLED.

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

Speaker in the chair.

Roll called.

Quorum present.

INTRODUCTION OF BILLS RESUMED

By Mr. Martin of Butte—An Act to regulate fees of officers and salaries of certain officers, and to repeal certain other Acts in relation thereto.

Read first and second times and referred to the Committee on Fees and Salaries, with instructions that it be reported back as soon as possible, and ordered printed

By Mr. Naphtaly—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto, approved April twenty-seventh, eighteen hundred and sixty-three

Read first and second times and referred to the Judiciary Committee

By Mr. Moynihan—An Act relating to fire and marine insurance companies

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

Mr. Henlev of Sonoma moved that the rules be suspended, and that Senate Bill No. 2 be taken from unfinished business, for the purpose of considering the motion to reconsider the vote whereby the bill was passed.

Carried.

Mr. Naphtaly moved that the motion to reconsider be indefinitely postponed

SPECIAL ORDER

At two o'clock P. M. the special order—the Governor's message transmitting the Fifteenth Amendment—was taken up.

Mr. G. R. B. Hayes moved that the special order be postponed until the motion to reconsider the vote on passing Senate Bill No. 2 be disposed of.

Lost, on a division.

Mr. Lambert moved to continue the consideration of the special order, and to postpone further action on the same until Friday, at two o'clock P. M.

Mr. Gildea offered an amendment, to postpone to Friday evening, at seven o'clock

Mr. Satterwhite moved to amend by fixing the time for Friday, at ten o'clock A. M.

Mr. Duffy offered the following substitute :

Resolved, That until the Fifteenth Amendment is disposed of by this House, it be and is hereby made the special order for each evening of the week, commencing at seven o'clock this evening, January twenty-fifth.

Lost.

The amendment to postpone the special order to ten o'clock A. M. on Friday prevailed, and the motion, as amended, was agreed to

REPORTS.

Mr. G. R. B. Hayes, from the Committee on Engrossment, made the following report :

MR. SPEAKER: Your Committee on Engrossment be leave to report that they have examined and find correctly engrossed substitute for Assembly Bill No. 113—An Act amendatory of and supplemental to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets, approved March thirtieth, eighteen hundred and sixty-eight.

GEORGE R. B. HAYES, of Committee.

Mr. Fortune, from the San Francisco delegation, by leave, made the following report:

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 20—An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library, and to secure the use of the same to the Courts held at San Francisco, the bar, the city and county governments, and the people of the City and County of San Francisco—recommend the passage of the bill as amended.

FORTUNE, for Delegation.

At four o'clock and twenty minutes P. M., on motion of Mr. Murphy of Del Norte, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, January 26th, 1870. }

House met at ten o'clock A. M., in pursuance of a resolution adopted on yesterday, changing the hour for the morning session.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Rev. Mr. Miller.

LEAVE OF ABSENCE.

Mr. Murphy of Santa Clara was granted indefinite leave of absence, and Mr. Odell for one day.

Messrs Carothers and Thomas, from the Committee on State Normal School, had indefinite leave of absence granted them.

QUESTION OF PRIVILEGE.

Mr. Koutz rose to a question of privilege, stating that the remarks made by him on yesterday, on the proposed Fifteenth Amendment to the Constitution of the United States, were incorrectly reported in the *Sacramento Daily Union* newspaper.

PETITIONS

Mr. Appling presented a petition from citizens of Fresno County, asking a repeal or modifying of an Act approved March twenty-eighth, eighteen hundred and sixty-eight, entitled an Act to regulate fees of office.

Received and referred to the Committee on Fees and Salaries.

Mr. Hihn presented a petition from managers of the School of the Holy Cross, asking appropriations from the State.

Received and referred to the Committee on Ways and Means.

Mr. Martin of Butte presented a memorial to the Legislature of the State of California in regard to the treatment, management and care of the insane of this State.

Received and referred to the Committee on Hospitals, and ordered printed.

REPORT OF STANDING COMMITTEE.

Mr. Rockwell, from the Committee on Printing, made the following report:

MR. SPEAKER: The Committee on Printing, to whom was referred Senate Bill No. 132—An Act to provide for engraving and printing Controller's warrants—report the same back and recommend its passage.

ROCKWELL, Chairman.

On motion of Mr. Gildea, the rules were suspended to take up the above reported bill, to place it on its passage now.

Considered in Committee of the Whole, Speaker in the chair.

IN ASSEMBLY.

Bill reported back and passage recommended.

Read a third time and passed; title approved.

Mr. Lambert, from the Committee on Ways and Means, made the following report:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No. 1—An Act to provide for a State Board of Equalization—have had the same under consideration, and report the bill back to the Assembly with a substitute therefor, and recommend the passage of the substitute.

LAMBERT, Chairman.

On motion of Mr. Lambert, the usual number of copies of the above reported substitute was ordered printed.

Mr. Hihn submitted the following minority report:

MR. SPEAKER: The undersigned, one of the members of the Committee on Ways and Means, herewith begs leave to file a minority report on Assembly Bill No. 1—An Act to provide for a State Board of Equalization—and offers the following substitute.

F. A. HIHN.

Mr. Hibn moved that the above reported substitute be printed.

So ordered.

Mr. G. R. B. Hayes, from the Committee on Military Affairs, made the following report:

Mr. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No 51—An Act for the relief of the San Francisco Cadets—have considered said bill, and hereby report it back and recommend its passage.

G. R. B. HAYES, Chairman

Mr. Andrews, from the Committee on Mines and Mining Interests, made the following report:

Mr. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No 63—An Act to provide for the assessment of mining claims in the State of California—have had the same under consideration, and respectfully report the same back and recommend that it do not pass

ANDREWS, Chairman.

Mr. Naphtaly, from the Judiciary Committee, made the following reports:

Mr. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 216—An Act to more fully define the crime of larceny—respectfully report that they have had said bill under consideration, and report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No 97—An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof—and respectfully report the same back and recommend the passage of the bill

They have also considered Assembly Bill No. 146—An Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 143—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April nineteenth, eighteen hundred and fifty-one—and respectfully report the same back and recommend the passage of the bill

They have also considered Assembly Bill No. 150—An Act to amend an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 192—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties—and respectfully report the same back and recommend that the bill do not pass

They have also considered Assembly Bill No 174—An Act to amend section six hundred and twenty-seven of an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one—and respectfully report the same back and recommend that the bill do not pass.

NAPHTALY, Chairman.

Mr. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 70—An Act to authorize Assessors to complete duties imperfectly performed—report that they have had said bill under consideration, and report the same with recommendation for its passage.

NAPHTALY, Chairman.

Mr Horan, from the Committee on Claims, made the following report:

Mr SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No. 221—An Act for the relief of W. D. Perkins—have had the same under consideration, report back and recommend its passage.

HORAN, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 25th, 1870.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 37—An Act to amend an Act entitled an Act to define and establish the boundaries of Mono County, approved March second, eighteen hundred and sixty-six.

Also, Assembly Bill No 158—An Act in relation to the assessment of property in Tuolumne County for the year eighteen hundred and sixty-nine.

H. H. HAIGHT,
Governor.

MOTIONS AND RESOLUTIONS.

Mr Rockwell offered the following resolution:

Resolved. That the Sergeant-at-Arms be directed to furnish committee rooms for the Committee on Commerce and Navigation.

Mr. Haile offered the following amendment:

Resolved. That the Sergeant-at-Arms be instructed to have one of the rooms in the Capitol fitted up for the Committee on Commerce and Navigation.

Amendment adopted, and resolution, as amended, adopted.

Mr. Fortune offered the following resolution:

Resolved, That this House do meet at nine o'clock each day.

Laid over one day.

Mr. Robinson offered a resolution, that the Speaker appoint a committee of three on translation.

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

Mr. Shoemaker moved to suspend the rules, to take up the motion to reconsider the vote passing Senate Bill No. 2.

Mr. Gildea moved to lay the motion to suspend the rules, in reference to the bill laid on the table.

Lost, on a division.

On the motion to suspend the rules, the ayes and noes were demanded by Messrs. Gildea, Murphy of Del Norte, and Haile, and the House refused, by the following vote:

AYES—Messrs. Biggs, Blankenship, Calderwood, Crigler, De Haven, Escandon, Green, Haile, Hawley, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Johnson, Kelley, King, Koutz, Lambert, McMurry of Trinity, Miller of Marin, Munday, Murphy of Del Norte and Klamath, Naphtaly, Power, Romer, Ryan, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Williams, York, Young and Mr. Speaker—37.

NOES—Messrs. Andrews, Appling, Berry, Brown of Amador, Brown of Yuba, Coronel, Duffy, Finney, Fortune, Freeman, Gildea, M. Hayes, Inman, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, Merritt, Miller of El Dorado, Mooney, Moynihan, Oates, O'Connell, Pool, Robinson, Sammons, Stephens, Walden and Waldron—30.

Mr. Horan offered a resolution, as follows:

Resolved, That the general file be made the special order for eleven o'clock A. M. each day.

Laid over one day.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER,
January 25th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate on yesterday passed Senate Bill No. 44—An Act relating to certificates of incorporation.

Also, on yesterday, passed Assembly Bill No. 6—An Act amendatory of and supplementary to an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 58—Substitute for an Act to repeal an Act entitled an Act to authorize the Supervisors of Humboldt County to levy a special tax for certain purposes, and to provide for the collection of the same.

Also, Assembly Bill No. 17—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties.

Also, Assembly Bill No. 130—An Act to authorize the County Treasurer of San Bernardino County to transfer certain funds.

CURTIS,
Assistant Secretary.

Senate Bill No. 44, above reported, read first and second times and referred to the Committee on Corporations.

NOTICE.

Notice of the introduction of a bill was given as follows:

By Mr. Gildea—An Act to regulate fares and freights on the railroads of this State.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Haile—An Act to authorize the construction of a wharf at Vallejo, Solano County, at the foot of Maryland street

Read first and second times and referred to the Committee on Commerce and Navigation.

Also, an Act to authorize the construction of a wharf at Vallejo, Solano County.

Read first and second times and referred to the Committee on Commerce and Navigation

Also, an Act to authorize George C. Ryckman and his associates, successors and assigns, to build and maintain a wharf at Capital street, City of Vallejo, in the County of Solano.

Read first and second times and referred to the Committee on Commerce and Navigation

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

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

By Mr. Satterwhite—An Act concerning roads and highways in San Bernardino County.

Read first and second times and ordered on the general file.

GENERAL FILE.

Mr. Biggs moved to suspend the rules, to take out of its order on the file Assembly Bill No. 136.

Carried.

[Mr. Haile in the chair]

Assembly Bill No. 136—An Act to amend an Act entitled an Act to provide for the construction of the State Capitol in the City of Sacramento, approved March twenty-ninth, eighteen hundred and sixty.

Amendment amended

Mr. Satterwhite moved the previous question.

Sustained

On adopting the amendment offered by the committee to section one, the ayes and noes were demanded by Messrs. Biggs, Murphy of Del Norte and Miller of El Dorado, and the House refused, by the following vote:

AYES—Messrs. Berry, Biggs, Inman, Kelley, McClaskey, McMurry of Trinity, Miller of El Dorado, Newell, Ryan, Shoemaker and Slicer—11.

NOES—Messrs. Andrews, Appling, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Crigler, Duffy, Finney, Fortune, Freeman, Green, Haile, Hawley, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Horan, Hubner, Hudson, Johnson, Koutz, Lambert, Lewelling, McMurry of El Dorado, Merritt, Miller of Marin, Mooney, Moynihan, Munday.

Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Pool, Power, Robinson, Rockwell, Romer, Sammons, Satterwhite, Scarce, Shores, Walden, Waldron, Williams, Young and Mr. Speaker—48.

The House then refused to engross the bill.

Mr. Murphy of Del Norte gave notice that on to-morrow he would move to reconsider the vote by which the House refused to amend and engross the bill.

Assembly Bill No 88 was recommitted to the Judiciary Committee, with special instructions.

Assembly Concurrent Resolution No. 10—Relative to establishing a mail route and Post-office.

Read a third time and passed; title approved.

Assembly Bill No. 180—An Act to authorize the Board of Supervisors of Sutter County to issue bonds for road purposes.

Read a third time and passed; title approved

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

Mr. Biggs, by consent, presented the following communication:

SACRAMENTO, January 26th, 1870.

To the Honorable the Speaker, Officers and Members of the Assembly:

You are cordially invited to attend a social at Turn-Verein Hall, on Friday evening, January twenty-eighth, eighteen hundred and seventy, for the benefit of the Good Templars' Home for Orphans.

W. F. WHITNEY, for Committee.

On motion of Mr. Brown of Amador, the communication was received and the invitation accepted.

Mr. Newell was granted leave of absence for one day

GENERAL FILE RESUMED

Assembly Bill No 98—Withdrawn by the author, by consent.

Assembly Bill No. 103—Indefinitely postponed

Assembly Bill No 128—An Act to amend section one hundred and twenty-four of the Act of May first, eighteen hundred and fifty-one, entitled an Act to regulate the estates of deceased persons.

Substitute adopted, and bill ordered engrossed.

Rules suspended, bill read a third time and passed; title approved.

Mr. Duffy was excused for the remainder of the day.

Mr. Rockwell, on leave, presented a petition from certain members of the bar in San Francisco, in reference to the passage of a law designating some newspaper in Sacramento as the official newspaper of the State.

Which, on motion of Mr. Rockwell, was laid on the table.

Assembly Bill No. 121—Temporarily passed on file.

Assembly Bill No. 99—An Act to grant the right of way for a railroad track within the corporate limits of the City of Vallejo, in the County of Solano, to Edward McGettigan and Henry Conolley, their associates and assigns.

Substitute adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 21—An Act to repeal an Act entitled an Act to protect sheep, Cashmere and Angora goats against the ravages of dogs, approved March thirteenth, eighteen hundred and sixty-six.

Amended; amendment adopted; substitute adopted; ordered engrossed.

Assembly Bill No. 95—An Act to amend an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three.

Being the special order for two o'clock p. m. this day, was, on motion of Mr. Lambert, postponed, and made the special order for Wednesday next, at two o'clock p. m.

Senate Bill No. 65—An Act to amend an Act entitled an Act concerning agricultural societies, approved March twelfth, eighteen hundred and fifty-nine.

Read a third time and passed; title approved.

Assembly Bill No. 86—An Act to authorize the construction and maintenance of a wharf in San Luis Obispo County.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 156—An Act to authorize the construction and maintenance of a wagon road between Indian Valley and Sierra Valley, in the County of Plumas

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 100—Recommitted to the Committee on Commerce and Navigation

Assembly Bill No. 181—Passed on the file.

Assembly Bill No. 137—Recommitted to the Judiciary Committee.

Assembly Bill No. 142—An Act authorizing the Board of Supervisors of Mono County to levy a special tax for a Contingent Fund.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 115—An Act to authorize Michael C. Duffey, Charles W. Schadel, Theodore A. Coult and Caleb E. Wilcoxon, and their associates and assigns, to construct and maintain a railroad in the City of Marysville, Yuba County, and the Town of Yuba City, Sutter County.

Amendments adopted, rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 188—An Act granting leave of absence to Richard G. Watkins, District Attorney of Mono County.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 190—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Trinity County to levy a special tax, approved April second, eighteen hundred and sixty-six.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 198—Referred to the delegation from Butte County.

Assembly Bill No. 25—An Act to pay certain outstanding indebtedness of the County of Mono, incurred prior to the segregation of said county by virtue of the Act approved March twenty-sixth, eighteen hundred and sixty-one, to ascertain and mark a portion of the eastern boundary of the State.

Mr. G. R. B. Hayes moved to refer the bill to the Judiciary Committee.

Mr. Fortune moved the previous question.

Sustained.

The motion to refer to the Judiciary Committee was lost, on a division. Amendments adopted.

On the engrossment of the bill, the ayes and noes were demanded by Messrs. G. R. B. Hayes, Satterwhite and Murphy, of Santa Clara, and it was ordered engrossed, by the following vote:

AYES—Messrs. Andrews, Appling, Brown of Amador, Calderwood, Coronel, De Haven, Escandon, Finney, Fortune, Freeman, Gildea, Green, Hawley, M. Hayes, Henley of Sonoma, Horat. Hubner, Inman, Johnson, King, Koutz, Lambert, Lewelling, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Pool, Robinson, Rockwell, Romer, Ryan, Sammons, Shores, Stephens, Walden, Williams, York, Young and Mr. Speaker—48.

NOES—Messrs. Berry, Biggs, Brown of Yuba, Crigler, Haile, G. R. B. Hayes, Hudson, Kelley, Martin of Butte, Martin of Siskiyou, Miller of Marin, Munday, Murphy of Santa Clara, Satterwhite, Scarce, Shoemaker, Slicer and Waldron—18.

At four o'clock and five minutes P. M., on motion of Mr. Ryan, the House adjourned.

GEO. H. ROGERS,

Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, January 27th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved

QUESTION OF PRIVILEGE.

Mr. Stephens rose to a question of privilege, in reference to a statement made by him on yesterday in relation to Assembly Bill No. 136, then under consideration, when he made use of certain expressions which he now offered affidavits to show were correct. The affidavits

were read, when Mr. Duffy rose to a question of privilege in reference to the same subject, and made some remarks—both members speaking to a question personal to themselves.

Mr. Waldron was granted leave of absence for one day, and Mr. Newell for two days

REPORTS OF STANDING COMMITTEES.

Mr. McClaskey, from the Committee on Swamp and Overflowed Lands, made the following report:

MR. SPEAKER: Your committee, to whom was referred Assembly Bill No. 237—An Act legalizing the assessment and levy of taxes for reclamation purposes in Swamp Land District Number Seventy-seven, in the County of Colusa—have had the same under consideration, and report the same back, with an amendment, and recommend the passage of the same as amended.

McCLASKEY, Chairman.

Mr. Rockwell, for the special committee to whom was referred Assembly Bill No. 13—An Act to establish and maintain a police force for the protection and regulation of Asiatic and Mongolian residents of this State, and to prevent coolie slavery in California—reported said bill back with amendments, and recommended its passage as amended.

[For report, see Appendix.]

On motion, the usual number of copies of the report were ordered printed, and the bill was made the special order for Friday, February fourth, at two o'clock P. M.

Mr. Fortune, from the San Francisco delegation, made the following report:

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 109—An Act to confer additional powers on the Board of Supervisors; and also Assembly Bill No. 210—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco—have had the same under consideration, and herewith report them back and recommend their passage.

They have also had under consideration Assembly Bill No. 81—An Act to confirm certain orders passed by the Board of Supervisors of the City and County of San Francisco, and to authorize said Board to appropriate money for certain purposes—and herewith report the same back with a substitute, and recommend the passage of the substitute.

FORTUNE, for Delegation.

Mr. King, from the Committee on Corporations, made the following reports:

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 87—An Act to authorize the Council of the City of Oakland to lay out, open or improve streets in said city—have had the same under consideration, and report the bill back to the Assembly with the following amendment, by striking out the word "five," in line fifteen, section three, in said Act, and inserting the word "seven," and with the above amendment recommend its passage.

KING, Chairman

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 211—An Act amendatory and supplementary to an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three, and the Acts amendatory thereof and supplemental thereto—have had the same under consideration, and report the bill back to the Assembly, recommending its passage.

KING, Chairman.

Mr. Inman moved to suspend the rules, in order to take up Senate Bill No. 87, above reported, and place the same on its passage now.

Carried.

Senate Bill No. 87—Amendments adopted; rules suspended; bill read a third time and passed; title approved.

MOTIONS AND RESOLUTIONS.

Mr. Williams offered a concurrent resolution in reference to the depression in general prosperity in the mining counties of this State, owing to outstanding indebtedness, high and onerous taxation, causing a steady decline in wealth and population; requesting our Senators and Representatives in Congress to use their influence to have the lands in the mineral portion of this State donated to the State of California, to be held in trust by the State for the benefit of the several counties, etc.

Read first and second times and referred to the Committee on Federal Relations.

Mr. King offered the following resolution:

WHEREAS, The Journals of this House, for the year eighteen hundred and sixty-two, show that Thomas Campbell, of Calaveras County, Republican, and James B. Smith, of Fresno County, Democrat, did qualify and serve as honorable members of the Assembly for the session of eighteen hundred and sixty-two; and whereas, the Journals of the Assembly for the year eighteen hundred and sixty-three further show that Hon. Thomas Campbell and Hon. James B. Smith were re-elected by the popular vote of their respective counties, but the hand of death interposed during their terms of services and left vacant the seats so honorably filled by said gentlemen; and whereas, appropriate resolutions of respect to the memory of the Hon. Thomas Campbell were spread upon the Journal of the Assembly, and he was buried in the State Burial Grounds at the expense of the State, and a suitable, appropriate and deserved monument erected to his memory; and whereas, no such tribute of respect was paid to the memory of the Hon. James B. Smith; no resolutions of condolence to the bereaved widow and orphan children mark the pages of the Journals of the Assembly; in silence were the remains of the lamented gentleman consigned to the grave; no bell was tolled to sound the knell of a departed spirit; no hearse drawn by fiery steeds, decked in costly plumes, led the solemn train; nor did the pomp of funeral cortege attend him to the tomb, but kind friends and neighbors buried the body, and a simple memento, placed by the widow's hand at the head of the grave, marks the spot where rests all that is mortal of the late Hon. James B. Smith, of Fresno County. Therefore, be it

Resolved, first, That the time has come in the political history of California, when it is not deemed disloyal to drop the tear of sympathy over

the grave of a once honored Democrat, and recognize the services of a faithful public servant, by appropriate resolutions of condolence to surviving friends.

Resolved, second, That the Chair appoint a committee of three members of this House to inquire into the propriety of paying some marks of respect to the memory of the late Hon. James B. Smith.

Resolved, third, That a copy of this preamble and resolutions, signed by the Speaker and Clerk of the Assembly, be forwarded to the relatives of deceased.

Adopted.

The Speaker appointed the following committee, in compliance with the above resolution: Messrs King, Apppling and Ryan.

The following resolution, offered by Mr. Horan on yesterday, was taken up:

Resolved, That the general file be made the special order for eleven o'clock each day.

Adopted.

Mr. Romer offered the following resolution:

Resolved, That the Sergeant-at-Arms, with the Chief Clerk of the Assembly, be directed to procure an iron safe, at a cost not to exceed two hundred dollars, that all bills and papers of value in the keeping of the Clerk may be deposited therein.

Referred to the Committee on Contingent Expenses.

Mr. Rockwell offered a resolution, to appoint one James W. Smith to copy the Appendices of the Assembly for the eighteenth session.

On motion of Mr. Andrews, laid on the table

Messrs Lambert, and Martin of Siskiyou, were granted leave of absence for the remainder of the day.

Mr. Robinson offered the following concurrent resolution:

Resolved by the Assembly, the Senate concurring, That a committee of three from each House be appointed to examine proposals for translating into the Spanish language the laws of the present session.

Adopted.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER,
January 26th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate on this day adopted Senate Concurrent Resolution No. 21—Relative to granting leave of absence from this State to James F. Burns, Sheriff of Los Angeles County.

CURTIS,
Assistant Secretary.

Senate Concurrent Resolution No. 21, above reported, read first and second times.

On motion, and by unanimous consent, read a third time and passed.

● INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Henley of Sonoma—An Act to authorize the Board of Supervisors of Sonoma County to transfer certain money from the General Fund to the Road Fund.

Read first and second times and ordered on general file

By Mr. Crigler—An Act to amend an Act entitled an Act to provide for the erection of county buildings in the County of Lake, and other matters in relation thereto, approved March twenty-fourth, A. D. eighteen hundred and sixty-eight

Read first and second times and referred to the Judiciary Committee.

By Mr. McMurry of Trinity—An Act to pay expenses necessarily incurred in suppressing Indian hostilities in the Counties of Humboldt and Trinity, in the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine

Read first and second times and referred to Committee on Indian Affairs.

By Mr. Hubner—An Act entitled an Act to authorize the Board of Supervisors of the County of San Joaquin to donate one hundred thousand dollars to the Stockton and Copperopolis Railroad Company and to provide for the payment of the same, and other matters relating thereto.

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

By Mr. Martin of Butte—An Act to amend an Act entitled an Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty.

Read first and second times and referred to the Judiciary Committee.

By Mr. Inman—An Act authorizing Rodman Gibbons, and his associates and assigns, to construct and operate a street railroad in the County of Alameda.

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

GENERAL FILE.

On motion of Mr. Henley of Sonoma, the following bill was taken up out of its order on the file:

Assembly Bill No. 150—An Act to amend an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, passed April twenty-fifth, eighteen hundred and sixty-two

Amended; amendment adopted; rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 129—An Act to repeal an Act entitled an Act supplementary to an Act to prevent the trespassing of animals upon private property, approved March thirty-first, eighteen hundred and fifty-five, approved May seventeenth, eighteen hundred and sixty-one.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 94—Withdrawn by its author, by consent

Assembly Bill No. 3—An Act to authorize a railroad in certain of the streets of the City and County of San Francisco for grading purposes

Amended; amendment adopted.

At twelve o'clock and thirty minutes P. M. the House took a recess.

REASSEMBLED.

At one o'clock and thirty minutes p. m. the House reassembled.

Speaker in the chair.

Roll called

Quorum present

Mr. Duffy was granted indefinite leave of absence, on account of indisposition, and Mr. Waldron of Placer for one day.

[Mr. King in the chair.]

GENERAL FILE RESUMED.

Assembly Bill No. 3 continued.

The question being on the adoption of the substitute reported by the San Francisco delegation, Mr. Biggs offered an amendment to section one.

Adopted.

Mr. Biggs offered a further amendment to section one.

Lost.

Substitute adopted as amended.

On ordering the bill engrossed, the ayes and noes were demanded by Messrs. McMillan, Oates and Biggs, and it was ordered to engrossment, by the following vote:

AYES—Messrs. Blankenship, Brown of Amador, Coronel. Escandon, Green, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Horan, Hubner, Inman, Johnson, King, Lewelling, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphitaly, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Shoemaker, Stephens, Williams, York and Young—31

NOES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Yuba, Crigler, De Haven, Fortune, Freeman, Hawley, Hudson, Kelley, Koutz, Martin of Butte, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Munday, Murphy of Del Norte and Klamath, Oates, Power, Scarce and Mr. Speaker—26.

Assembly Bill No. 153—An Act relating to the Board of Education of the City and County of San Francisco, and more particularly defining its powers and duties.

Ordered engrossed.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 25—An Act to pay certain outstanding indebtedness of the County of Mono, incurred prior to the segregation of said county by virtue of the Act approved March twenty-sixth, eighteen hundred and sixty-one, to ascertain and mark a portion of the eastern boundary of this State.

MARTIN (of Butte), Chairman.

Senate Bill No. 105—An Act to amend an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

Read a third time and passed; title approved.

Assembly Bill No. 126—An Act to authorize the Waucoma Water Company to construct aqueducts over certain lands therein named, and to lay down water pipes in the public streets of the City of San Diego and Town of South San Diego.

Ordered engrossed.

Assembly Bill No. 184—Passed on the file.

Assembly Bill No. 191—An Act for the relief of John W. Ball—was, on motion of Mr. Horan, under a suspension of the rules, taken out of its order on the file, to consider the same now.

Considered in Committee of the Whole, Mr. King in the chair.

IN ASSEMBLY.

Bill reported back, with an amendment, and passage recommended.

Amendment adopted; rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 155—An Act to amend an Act to separate the office of County Recorder from that of County Clerk, in the County of Alameda, and to provide for the election of a County Recorder therein, approved March thirtieth, eighteen hundred and sixty-eight.

Amendment adopted; rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 203—An Act to repeal an Act entitled an Act to amend section eighteen of an Act to establish public pounds for the better securing of estrays and other stock in the County of Alameda, and to provide for the election of a County Recorder therein.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 182—An Act to authorize the Controller of State to credit the Treasurer of Tuolumne County with certain State poll tax receipts.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 152—An Act for the relief of Patrick Creighton, James Brennan and Patrick Donohue.

Ordered engrossed.

[Speaker in the chair.]

Mr. King moved to suspend the rules to take up the motion to reconsider the vote on Senate Bill No. 2.

Mr. Naphtaly moved the previous question, on which the ayes and noes were demanded by Messrs. Gildea, Stephens and Fortune.

The roll was being called when Mr. Biggs inquired what question the House was voting on.

The Speaker stated the question was on the motion for the previous question, and ordered the Clerk to commence the call of the roll anew.

Mr. Gildea rose to a point of order, stating that the Clerk had commenced to call the roll and several members had voted, when the Speaker directed a new call of the roll, which was not in order, and that voting should be continued as first commenced.

Overruled by the Speaker, who stated that members did not appear to understand the question.

Mr. Gildea appealed and the Chair was sustained.

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

AYES—Messrs Appling, Biggs, Blankenship, Crigler, Haile, Hawley, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, Inman, Johnson, Kelley, King, Koutz, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of Marin, Mooney, Munday, Murphy of Del Norte and Klamath, Naphtaly, Odell, Pool, Power, Robinson, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Sheer, Thomas, Williams, York, Young and Mr Speaker—41.

NOES—Messrs. Andrews, Berry, Brown of Amador, Brown of Yuba, Coronel, Finney, Fortune, Freeman, Gildea, Green, M. Hayes, Horan, Lewelling, McMillan, Miller of El Dorado, Moynihan, Oates, Sammons and Stephens—19.

The Speaker stated the question to be on the motion to indefinitely postpone the motion to reconsider.

On the question, the ayes and noes were demanded, by Messrs Gildea, Berry and McMillan, and the motion to reconsider the vote was indefinitely postponed, by the following vote :

AYES—Messrs Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Crigler, Green, Haile, Hawley, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hudson, Inman, Kelley, King, Koutz, McClaskey, McMurry of Trinity, Miller of Marin, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Odell, Pool, Power, Robinson, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Thomas, Williams, York, Young and Mr. Speaker—41.

NOES—Messrs. Andrews, Berry, Coronel, Fortune, Freeman, Gildea, M. Hayes, Horan, Hubner, Johnson, Lewelling, Martin of Siskiyou, McMillan, McMurry of El Dorado, Merritt, Miller of El Dorado, Mooney, Oates, Sammons and Stephens—20.

Assembly Bill No. 89—Passed on the file.

At four o'clock and fifteen minutes p. m., on motion of Mr. Kelley, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT FERRAL. Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, January 28th, 1870 }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Messrs. Murphy of Del Norte, Walden, and Miller of Marin, were granted leave of absence for one day.

Mr. Martin of Siskiyou was allowed to have his vote recorded in the negative, on the motion to indefinitely postpone the motion to reconsider the vote passing Senate Bill No. 2—which action took place on yesterday.

SPECIAL ORDER.

The special order for ten o'clock A. M.—Governor's message transmitting the proposed Fifteenth Amendment—was taken up.

[Mr. Lewelling in the chair]

REPORT.

Mr. Newell, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 150—An Act to amend an Act to provide for the appointment of Notaries Public, and define their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

NEWELL, of Committee.

Mr. Martin of Butte, by unanimous consent, moved that two hundred and forty additional copies of Assembly Bill No. 245—An Act to regulate fees of office—be printed.

Carried.

At twelve o'clock and ten minutes P. M., on motion of Mr. Finney, the special order was postponed, to be taken up again at half-past one o'clock P. M.

On motion of Mr. McMurry of El Dorado, the rules were suspended to take up, out of its order on the file, Assembly Bill No. 238—An Act to legalize assessments of taxes in the several townships of El Dorado County.

Rules further suspended, bill considered engrossed, read a third time and passed; title approved.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 28th, 1870. }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 130—An Act to authorize the County Treasurer of San Bernardino to transfer certain funds.

Also, Assembly Bill No. 17—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties.

Also, Assembly Bill No. 60—An Act to authorize the County of Sacramento to issue bonds.

H. H. HAIGHT,
Governor.

REPORTS OF STANDING COMMITTEES.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No 6—An Act amendatory of and supplementary to an Act to incorporate the Town of Santa Cruz. approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 130—An Act to authorize the County Treasurer of San Bernardino County to transfer certain funds.

Also. Assembly Bill No. 17—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties

And this day, at eleven o'clock, presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

SENATE MESSAGES

The following messages were received from the Senate :

SENATE CHAMBER,
January 28th, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on this day, under suspension of the rules, passed Senate Bill No 260—An Act to amend an Act entitled An Act to revise and amend an Act entitled an Act to incorporate the Town of Grass Valley, approved March twenty-fourth, eighteen hundred and sixty-six, approved January twenty-second, eighteen hundred and seventy.

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
January 27th, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, passed Senate Bill No 219—An Act making an appropriation for deficiencies for the twenty-first fiscal year, ending the thirtieth day of June, eighteen hundred and seventy.

CURTIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 260, above reported, read first and second times, and by unanimous consent read a third time and passed; title approved

Senate Bill No. 219, above reported, read first and second times, and, on motion of Mr. Gildea, rules suspended to put the bill on its passage.

Considered in Committee of the Whole, Speaker in the chair

IN ASSEMBLY.

Bill reported back and passage recommended.

Read a third time and passed, by unanimous consent.

The Speaker appointed the following committee, under Concurrent Resolution No. 27, for examining bids for translating laws into Spanish :
Messrs Robinson, Murphy of Santa Clara and Escandon

At half-past twelve o'clock P. M. the House took a recess

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker pro tem in the chair

Roll called.

Quorum present.

REPORT.

Mr. Newell, from the Committee on Engrossment, made the following report :

MR. SPEAKER : Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 191—An Act for the relief of John W. Ball.

Also, Assembly Bill No. 152—An Act for the relief of Patrick Creighton, James Brennan and Patrick Donohue.

NEWELL, for Committee.

SPECIAL ORDER

The special order, the proposed Fifteenth Amendment—continued
[Speaker in the chair.]

At four o'clock and fifty minutes P. M., on motion of Mr Martin of Butte, the House took a recess until seven o'clock P. M.

EVENING SESSION.

At seven o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

Mr Gildea moved a call of the House.

Carried.

The roll was called, and the following members found absent without excuse :

Messrs. Blankenship, Brown of Amador, Coronel, Escandon, Freeman, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Hihn, Johnson, McMillan, Merritt, Miller of El Dorado, O'Connell, Robinson, Rockwell, Romer, Ryan, Shoemaker, Slicer, Williams, York and Young.

Messrs McMillan and O'Connell were excused.

Mr. Biggs moved to dispense with further proceedings under the call of the House.

Lost, on a division.

Messrs McClaskey, Hihn, Koutz and Blankenship were excused, good reasons being offered for their absence.

On motion of Mr. Martin of Butte, further proceedings under the call of the House were dispensed with.

SPECIAL ORDER

The special order, the proposed Fifteenth Amendment—continued.
Mr. Rockwell moved to suspend the rules to take up Senate message Carried.

The following Senate message, received from the Senate, was read :

SENATE CHAMBER, }
January 28th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, adopted Senate Concurrent Resolution No. 3, relative to the Fifteenth Amendment:

WHEREAS, The Congress of the United States, two-thirds of both Houses having deemed it necessary, by a joint resolution duly passed, did propose to the Legislatures of the several States for their ratification, a certain amendment to the Constitution of the United States, which proposed amendment is in the words and figures following, to wit :

ARTICLE XV.

SECTION 1 The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color or previous condition of servitude.

SEC. 2. The Congress shall have the power, to enforce this article by appropriate legislation.

Therefore, be it resolved by the Senate and Assembly of the State of California, that the said proposed amendment be and the same is hereby disapproved of and rejected by the Legislature of the State of California.

CURTIS,
Assistant Secretary.

Senate Joint Resolution No. 3, above reported, read first and second times.

Mr. Gildea moved that the rules be suspended and that Senate Joint Resolution No 3 be now placed on its final passage

The motion was agreed to, and the resolution read a third time, by unanimous consent

On the passage of the resolution, the ayes and noes were demanded by Messrs Gildea, Murphy of Santa Clara and Moynihan and the vote was taken as follows:

AYES—Messrs Andrews, Appling, Berry, Biggs, Blankenship, Brown of Yuba, Colonel, Crigler, Doss, Eichelroth, Escandon, Fortune, Freeman, Gildea, Green, Griswold, Haile, Hawley, G R B Hayes, M Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Inman, Kelley, King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, Odell, Pool,

Rockwell, Ryan, Satterwhite, Scarce, Shores, Slicer Stephens, Thomas, Young and Mr. Speaker—51.

NOES—Messrs. Calderwood, De Haven, Finney, Koutz, Lewelling, Power, Sammons and Waldron—8

Whereupon the Speaker announced that the proposed Fifteenth Amendment to the Constitution of the United States had been rejected by the people of the sovereign State of California, in Senate and Assembly represented

Mr Naphtaly, from the Judiciary Committee, by leave made the following report :

MR SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 243—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto—report that they have considered said bill, and recommend its passage.

NAPHTALY, Chairman.

On motion of Mr. Gildea, the rules were suspended, to consider the above reported bill now

Rules further suspended, bill considered engrossed, read a third time and passed; title approved

At eight o'clock and fifty-five minutes P M. Mr. Mooney moved to adjourn

Mr. Hihn moved to amend by fixing the hour of adjournment at eleven o'clock to-morrow.

Amendment and motion lost

At nine o'clock P M., on motion of Mr. Murphy of Del Norte, the House adjourned, to meet again on Monday, the thirty-first instant, at two o'clock and thirty minutes P M.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, January 31st, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Rev. Mr. Miller.

Journal of Friday last read and approved.

LEAVE OF ABSENCE

Messrs. Henley of Mendocino, Walden and Blankenship were granted leave of absence for two days, and Messrs. Haile, Calderwood, Shores, York, Kelley, Green, Young, McMurry of Trinity, Murphy of Santa Clara and Lewelling, for one day.

VOTES OF ABSENTEES.

Mr McMillan asked to be allowed to record his vote in the affirmative on Senate Joint Resolution No. 3—Rejecting the proposed Fifteenth Amendment to the Constitution of the United States—and Mr. Duffy asked to have his vote recorded in the negative, when, by unanimous consent, the names of the absentees when the vote was taken on Friday last were now called, and the following voted :

AYES—Messrs Brown of Amador, Fryer, Johnson, McMillan, O'Connell, Robinson, Romer, Shoemaker and Thurston—9

No—Mr Duffy—1.

REPORTS OF STANDING COMMITTEES

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

MR. SPEAKER: Your Committee on Enrolment have examined and find correctly enrolled substitute for Assembly Bill No 58—An Act to repeal an Act entitled an Act to authorize the Supervisors of Humboldt County to levy a special tax for certain purposes, and to provide for the collection of the same.

And this day, at eleven o'clock A M , presented the same to the Governor for his approval.

BROWN (of Yuba). for Committee.

Mr. King, from the Committee on Corporations, made the following reports :

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 70—An Act to incorporate the City of Gilroy—have had the same under consideration, and report said bill back with substitute, recommending that said substitute should pass.

KING, Chairman

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 251—An Act to amend an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty one—have had the same under consideration, and beg leave to report the bill back and recommend its reference to the Committee on Railroads

KING, Chairman.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 127—An Act to incorporate the San Buenaventura

Water Company—have had the same under consideration and report the same back with a substitute, recommending the passage of the same

KING, Chairman

Mr. Inman, from the Committee on Public Accounts and Expenditures, made the following report :

MR. SPEAKER: The Committee on Public Accounts and Expenditures have examined the following bills, to wit :

| | |
|---|------------|
| William Hook, for furniture | \$128 75 |
| P. W. Burnett, for labor..... | 182 75 |
| John Breuner, for furniture | 385 50 |
| James Anthony & Co., for newspapers..... | 127 75 |
| Edwards & Co., for portfolios | 125 00 |
| Edwards & Co, for board clips and digests | 105 00 |
| Edwards & Co , for six gross pencils | 72 00 |
| Total | \$1,126 75 |

They have found them correct and beg leave to report the same and recommend the adoption of the accompany resolution :

Resolved, That the Controller of State be and is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly, as follows :

In favor of William Hook, for one hundred and twenty-eight dollars and seventy-five cents

In favor of P. W. Burnett, for one hundred and eighty-two dollars and seventy-five cents.

In favor of John Breuner, for three hundred and eighty-five dollars and fifty cents

In favor of James Anthony & Co., for one hundred and twenty-seven dollars and seventy-five cents.

In favor of Edwards & Co, for three hundred and two dollars.

INMAN, Chairman.

GOVERNOR'S MESSAGE.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 31st, 1870. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 6—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 7—An Act to provide means for the govern-

ment of the County of Santa Cruz, and for the payment and funding of the debt of said county.

Also, substitute for Assembly Bill No 58—An Act to repeal an Act entitled an Act to authorize the Supervisors of Humboldt County to levy a special tax for certain purposes, and to provide for the collection of the same, approved April eighteenth, eighteen hundred and fifty-seven, and an Act amendatory thereof, approved February eleventh, eighteen hundred and fifty-eight

H. H. HAIGHT.

Governor.

NOTICES.

Notices of the introduction of bills were given as follows :

By Mr Rockwell—An Act to provide for the collection of municipal licenses for the City and County of San Francisco

Also, an Act to regulate fees and salaries of the various county officers in this State.

By Mr Slicer—An Act to regulate the salaries and fix the compensation of certain county officers of Nevada County.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Lambert—An Act to repeal section five hundred and nine of an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, A. D. eighteen hundred and fifty-one, and the several amendments thereto.

Read first and second times and referred to the Judiciary Committee

By Mr Oates—An Act in relation to the quartz mines of the State of California and to protect the miners employed therein

Read first and second times and referred to the Committee on Mines and Mining Interests

By Mr. Biggs—An Act providing for the insane of California.

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

By Mr. McMillan—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco and upon the Auditor and Treasurer thereof, and authorize certain appropriations by said Board.

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

Also, an Act for the relief of certain settlers on the outside lands of the City and County of San Francisco.

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

By Mr. Hihn—An Act to authorize the County of Santa Cruz to aid in the construction of railroads and other roads in said county, and for other purposes pertaining thereto

Read first and second times and referred to the Committee on Railroads

By Mr. Gildea—An Act to fix the rate of fares and freights on railroads, and other matters relating thereto

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

By Mr Robinson—An Act to authorize Joseph S. Manassee and Mar-

cus Schiller, and their associates, to build, maintain and use a wharf on the southwesterly side of pueblo lot number four hundred and fifty-seven in San Diego, in the County of San Diego

Read first and second times and referred to the Committee on Commerce and Navigation.

Also, an Act to authorize W. W. Fowler, George F. Hooper and their associates and assigns, to lay down gas pipes in the City of San Diego

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

By Mr. Hahn—An Act in relation to the delinquent taxes on money at interest secured by mortgage or otherwise

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

Also, an Act to amend an Act entitled an Act to amend an Act entitled an Act amendatory of and supplementary to an Act for the preservation of trout, approved March twenty-seventh, eighteen hundred and sixty-two, approved March second, eighteen hundred and sixty-six.

Read first and second times and ordered to the general file.

By Mr. King—An Act to authorize certain parties to build a turnpike road from the Town of Truckee, in Nevada County, to Tahoe City, at Lake Bigler, in the County of Placer.

Read first and second times and referred to the Committee on Roads and Highways.

By Mr. Scarce—An Act to divide the County of Colusa into assessment districts for the election of District Assessors, and to define their duties and compensation.

Read first and second times and referred to the Committee on Fees and Salaries.

By Mr. McMillan—An Act in relation to the water front in the City and County of San Francisco

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

By Mr. Hawley—An Act to authorize the construction of a township road from the Town of Truckee, in Nevada County, to the Hot Springs and State line, at the northeasterly end of Lake Bigler, in the County of Placer

Read first and second times and referred to the Placer and Nevada delegation

By Mr. Henley of Sonoma—An Act to enforce the collection of taxes levied or assessed upon money loaned and secured by mortgage upon real or personal property.

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

Also, an Act concerning corporations

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

GENERAL FILE

On motion of Mr. Waldron, the rules were suspended to take up out of its order on the file Assembly Bill No. 221—An Act for the relief of W. D. Perkins.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 25—An Act to pay certain outstanding indebtedness of the County of Mono, incurred prior to the segregation of said

county by virtue of the Act approved March twenty-sixth, eighteen hundred and sixty-one, to ascertain and mark a portion of the eastern boundary of the State

Read a third time.

Mr. Hihn moved to recommit to the Committee on Claims, with special instructions

Lost, on a division

At four o'clock and fifty minutes P. M. Mr. Oates moved to adjourn

Lost

On the passage of the bill, the ayes and noes were demanded by Messrs. Satterwhite, Sheer and Berry, and it passed, by the following vote :

AYES—Messrs. Brown of Amador, De Haven, Escandon, Fortune, Fryer, Gildea, Hawley, M. Hayes, Henley of Sonoma, Horan, Hudson, Inman, Johnson, King, Koutz, Lambert, McClaskey, McMillan, McMurry of El Dorado, Merritt, Mooney, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Sammons, Stephens, Williams and Mr. Speaker—35

NOES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Yuba, Crigler, Duffy, Freeman, Hihn, Hubner, Martin of Butte, Martin of Siskiyou, Miller of El Dorado, Munday, Newell, Power, Satterwhite, Scarce, Shoemaker, Sheer and Waldron—21.

Title amended

On motion of Mr. Henley of Sonoma, Senate Bill No. 33 was made the special order for Thursday, at two o'clock P. M.

REPORT.

Mr. Newell, from the Committee on Engrossment, made the following report :

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 243—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto.

Also, Assembly Bill No. 126—An Act to authorize the Waucoma Water Company to construct aqueducts over certain lands therein named and to lay down water pipes in the public streets of the City of San Diego and Town of South San Diego.

Also, Assembly Bill No. 153—An Act relating to the Board of Education of the City and County of San Francisco and more particularly defining its powers and duties.

Also, Assembly Bill No. 155—An Act to amend an Act to separate the office of County Recorder from that of County Clerk of Alameda and to provide for the election of a County Recorder therein, approved March thirtieth eighteen hundred and sixty-eight.

Also, Assembly Bill No. 115—An Act to authorize Michael C. Dufficy, Charles A. Scheidel, Theodore A. Coult and Caleb E. Wilcoxon, their associates and assigns, to construct and maintain a railroad in the City of Marysville, Yuba County, and the Town of Yuba City, Sutter County

Also, Assembly Bill No. 129—An Act to repeal an Act entitled an Act supplementary to an Act to prevent the trespassing of animals upon private property, approved March thirty-first, eighteen hundred and fifty-five, approved May seventeenth, eighteen hundred and sixty-one

Also, substitute for Assembly Bill No. 128—An Act to amend an Act entitled an Act to amend section one hundred and twenty-one of an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty-one, approved March sixteenth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 188—An Act granting leave of absence to Richard G. Watkins, District Attorney of Mono County

Also, Assembly Bill No. 142—An Act authorizing the Board of Supervisors of Mono County to levy a special tax for a Contingent Fund.

Also, Assembly Bill No. 156—An Act to authorize the construction and maintenance of a wagon road between Indian Valley and Sierra Valley, in the County of Plumas.

Also, Assembly Bill No. 190—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Trinity County to levy a special tax, approved April second, eighteen hundred and sixty-six.

Also, Assembly Bill No. 86—An Act to authorize the construction and maintenance of a wharf in San Luis Obispo County.

Also, substitute for Assembly Bill No. 99—An Act to grant the right of way for a railroad track within the corporate limits of the City of Vallejo, in the County of Solano, to Edward McGettigan and Henry Conolly, and their associates or assigns.

Also, substitute for Assembly Bill No. 21—An Act to amend an Act entitled an Act to protect sheep and Cashmere and Angora goats against the ravages of dogs, approved March thirteenth, eighteen hundred and sixty-six.

NEWELL, for Committee.

At five o'clock P. M. Mr. Fortune moved to adjourn till half-past seven o'clock to-night.

Lost.

On motion of Mr. Naphtaly, at five o'clock and two minutes P. M., the House adjourned

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
Tuesday, February 1st, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Messrs Miller of Marin, Miller of El Dorado, Green, Williams, Lewelling, and McMurry of Trinity, were granted leave of absence for one day.

Upon motion of Mr. Blankenship, and by unanimous consent, the names of the absentees on the vote on Senate Joint Resolution No. 3, rejecting the proposed Fifteenth Amendment to the Constitution of the United States, was called, and the following members voted aye: Messrs. Blankenship, Doss, Eichelroth, Griswold G R B Hayes and Thomas—6.

PETITION

Mr Hihn presented a petition from one of the Directors of the Orphan Asylum of Pajaro Valley, Santa Cruz County, asking an appropriation for that asylum.

Received and referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

Mr Horan, from the Committee on Claims, made the following report :

MR SPEAKER: Your committee, to whom was referred Senate Bill No 26—An Act to pay the claim of H F Hastings, assignee of George Seckel, Clerk of the Supreme Court—having had the same under consideration respectfully report said bill back and recommend that it pass.

Also, Senate Bill No 42—An Act to appropriate money to pay for services rendered the State by C. T. Overton—respectfully report the same back and recommend its passage

HORAN, Chairman

On motion of Mr Horan, the rules were suspended to take up and consider Senate Bill No 42, above reported.

Considered in Committee of the Whole, Speaker in the chair.

IN ASSEMBLY.

Bill reported back and passage recommended

Rules suspended, bill read a third time and passed; title approved

Mr Brown of Yuba, from the Committee on Enrolment, made the following report :

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No 141—An Act to authorize the Board of Supervisors of Mono County to transfer moneys from one fund to another

Also, Assembly Bill No. 82—An Act to amend an Act to authorize the Board of Supervisors of Inyo County to levy a special tax for building purposes, approved January twenty-ninth, eighteen hundred and sixty-eight

Also Assembly Bill No 106—An Act to amend section one of an Act entitled an Act to amend an Act entitled an Act to fix the amount of official bonds of county officers in and for the Counties of Klamath and Del Norte, approved March twenty-sixth, eighteen hundred and sixty-eight

And this day, at three o'clock and ten minutes P M, presented the same to the Governor for his approval

BROWN (of Yuba), for Committee.

Mr Naphtaly, from the Judiciary Committee, made the following report :

Mr SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No 227—An Act to prevent the improper use of deadly weapons—respectfully report that they have had said bill under consideration and report the same back and recommend that the bill do not pass. Your committee make this recommendation for the reason that the provisions of Assembly Bill No. 227 are already amply provided for by an Act of the Legislature entitled an Act to prevent the improper use of deadly weapons, approved May fifth, eighteen hundred and fifty-five, which Act is now in full force

They have also considered Assembly Bill No 171—An Act for the relief of John Cartheche, Deputy Sheriff of El Dorado County—and respectfully report the same back without any recommendation

They have also considered Assembly Bill No 88—An Act to amend an Act to regulate proceedings in civil cases in Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one—and respectfully report the same back amended as specially instructed by the Assembly

They have also considered Assembly Bill No 235—An Act to amend an Act entitled an Act concerning conveyances, passed April sixteenth, eighteen hundred and fifty, and the Acts amendatory thereof, passed February fifteenth, eighteen hundred and sixty-four, approved April second, eighteen hundred and sixty-six—and respectfully report the same back and recommend the passage of the bill

They have also considered Assembly Bill No 137—An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 230—An Act to fix the amount of the official bond of the Sheriff of Calaveras County—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No 164—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the various Acts amendatory and supplementary thereof—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No 175—An Act to amend section five hundred and forty of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one—and respectfully report the same back and recommend that the bill do not pass.

NAPHTALY, Chairman.

Mr. Hihn, from the Committee on Fees and Salaries, verbally reported that the committee requested members from the several counties to examine Assembly Bill No 245—An Act to regulate fees of office and salaries of certain officers and to repeal certain other Acts in relation thereto—make such amendments thereto as they desire for their respective counties, and hand the bill so amended to the committee

REPORTS OF SELECT COMMITTEES

Mr. King, from the Nevada and Placer delegations, made the following report.

MR SPEAKER. The delegations from Nevada and Placer Counties, to whom was referred Assembly Bill No. 162—An Act to authorize E. J. Brickell, and his associates and assigns to improve the channel of the Truckee River from its source to the Town of Truckee, and to erect flood-gates therein, and collect tolls—have had the same under consideration and report the same back and recommend its passage

KING, for Delegation.

Mr Fortune, from the San Francisco delegation, made the following report:

MR SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No 187—An Act concerning the office of the County Clerk of the City and County of San Francisco—report that they have considered said bill and recommend the passage of the same

FORTUNE.
ROCKWELL,
GEORGE R B HAYES,
RYAN,
McMILLAN,
NAPHTALY,
MICHAEL HAYES,
ROMER,
GRISWOLD.

MOTIONS AND RESOLUTIONS

The resolution by the Committee on Public Accounts and Expenditures, offered on yesterday, was taken up and adopted.

Mr. Naphtaly moved that the usual number of copies of Assembly Bill No 154 be printed

So ordered

Mr. Stephens offered the following resolution:

Resolved. That the Enrolling Clerk be and is hereby authorized to appoint such additional assistants, from time to time, as the duties of his office may require, at the usual per diem allowed Copying Clerks, payable out of the Contingent Fund of the Assembly.

Mr. Stephens moved a suspension of the rules to consider the resolution now.

Lost, on a division.

The resolution was referred to the Committee on Contingent Expenses.

Mr. Horan offered the following resolution:

Resolved, That John Conway be and is hereby appointed Assistant Fireman of the Assembly, at a per diem of four dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to the Committee on Contingent Expenses.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
January 28th, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on this day, refused to concur in the Assembly amendment to Senate Bill No 2—An Act to repeal an Act entitled an Act to prohibit the carrying of concealed weapons

And this day adopted Assembly Concurrent Resolution No 27—Relative to translating the laws of the present session into the Spanish language.

Also, passed a substitute for Assembly Bill No 150—An Act to create the office of a Notary Public in Sonoma County.

Also, Senate Bill No 50—An Act to provide for the appointment of a Commissioner to visit the Eastern insane asylums, and to define his powers and duties

Also, Assembly Bill No 106—An Act to amend section one of an Act entitled an Act to amend an Act entitled an Act to fix the amount of official bonds of county officers in and for the Counties of Klamath and Del Norte, approved March twenty-sixth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 89—An Act supplementary to an Act entitled an Act concerning assessments upon the stock of corporations, approved March twenty sixth, eighteen hundred and sixty-six

Also, Assembly Bill No. 82—An Act to amend an Act to authorize the Board of Supervisors of Inyo County to levy a special tax for building purposes, approved January twenty-ninth, eighteen hundred and sixty-eight.

Also, Assembly Bill No 41—An Act to authorize the Board of Supervisors of Mono County to transfer moneys from one fund to another

Also, adopted Assembly Concurrent Resolution No. 8—Relative to building a breakwater at Crescent City

Also, passed Senate Bill No 53—An Act to amend an Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight

Also, Senate Bill No 201—An Act making appropriations for payment of claims for furniture, carpets, etc., purchased by the Secretary of State for furnishing the new State Capitol and for furnishing Supreme Court-room and Supreme Judges' rooms.

CURTIS,
Assistant Secretary.

Mr. Rockwell moved that the House recede from its amendment to Senate Bill No 2, above reported

Eleven o'clock A M being the hour for the special order—to take up the general file—Mr Lambert moved to postpone the special order for one hour.

Carried.

Mr Naphtaly renewed the motion, that the House recede from its amendment to Senate Bill No. 2.

Upon which the ayes and noes were demanded by Messrs Gildea, Duffy and Waldron, and the motion prevailed, by the following vote :

AYES—Messrs Biggs, Brown of Amador, Calderwood, Crigler, De Haven, Finney, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Sonoma, Hihn, Hudson, Inman, Kelley, King, Koutz, Lambert, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Odell, Pool, Power, Rockwell, Ryan, Scarce, Shoemaker, Shores, Slicer, Thomas, Thurston, Young and Mr Speaker—36.

NOES—Messrs Andrews, Appling, Berry, Blankenship, Brown of Yuba, Colonel, Doss, Duffy, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, M. Hayes, Horan, Hubner, Johnson, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, Merritt, Mooney, Moynihan, Oates, O'Connell, Robinson, Sammons, Satterwhite, Stephens, Waldron and York—34.

INTRODUCTION OF BILLS

The following bills were introduced by consent:

By Mr Hihn—An Act to provide for the appointment of an agent to procure patents for land granted to the State and to arrange other matters pertaining to State lands.

Read first and second times and referred to the Committee on Public Lands

By Mr Robinson—An Act for the better protection of farmers in certain portions of San Diego County.

Read first and second times and referred to the Committee on Agriculture

Also, an Act to authorize L. N. English, Sr., Thomas P. Slade, A. D. McKean, Louis Branson and Thomas Sherman, all of San Diego, in the County of San Diego and State of California, to construct and maintain a turnpike road from the City of San Diego to Fort Yuma, in the County of San Diego aforesaid.

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

Also, an Act to legalize and provide for the collection of delinquent taxes in the County of San Diego

Read first and second times and referred to the Judiciary Committee.

By Mr G. R. B. Hayes—An Act to authorize the formation of yacht clubs

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

By Mr Brown of Amador—An Act granting leave of absence from the State to D. B. Spagnoli, County Clerk of Amador County

Read first and second times and ordered on general file

By Mr M. Hayes—An Act concerning certain ordinances of the Board of Supervisors of the City and County of San Francisco, and other matters.

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

By Mr Slicer—An Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada

Read first and second times and referred to the Committee on Fees and Salaries

By Mr Crigler—An Act to amend section twenty-eight of an Act to regulate proceedings in civil cases in the Courts of justice of the State.

Read first and second times and referred to the Judiciary Committee.

By Mr. Fryer—An Act entitled an Act for the support and maintenance of the non-resident and indigent sick of Los Angeles County

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

SENATE MESSAGES

The following messages were received from the Senate :

SENATE CHAMBER,
January 31st, 1870 }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on January fifteenth, passed Senate Bill No 160—An Act to authorize the construction of a railroad bridge across Napa Creek, in the County of Napa.

Also, January twenty-eighth, passed Senate Bill No 227, substituted for Assembly Bill No. 2 and Senate Bill No 95—An Act amendatory of and supplemental to an Act entitled an Act to organize and regulate the Justices' Court in the City and County of San Francisco approved March twenty-sixth, eighteen hundred and sixty-six.

Also, January twenty-ninth, passed with amendment, Assembly Bill No. 65—An Act to amend an Act entitled an Act respecting the Trustees of San Diego

Also, January twenty-sixth, passed Senate Bill No 245—An Act to authorize the Board of Supervisors of the County of Siskiyou to transfer moneys from a certain fund to certain other funds.

Also, January twenty-ninth, passed Senate Bill No. 181—An Act to expunge from the Journals the judgment of the Senate entered against James H Hardy, on the fourteenth day of May, eighteen hundred and sixty-two.

Also, January thirty-first, passed Senate Bill No 180—An Act for the relief of S D. Smith.

Also, January twenty-ninth, passed Assembly Bill No. 67—An Act confirming certain resolutions and ordinances passed by the President and Trustees of San Diego.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
January 31st, 1870 }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed substitute for Assembly Bill No 113—An Act amendatory of and supplementary to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grade of certain streets, approved March thirtieth, eighteen hundred and sixty-eight.

MARDIS,
Assistant Secretary

CONSIDERATION OF SENATE MESSAGES.

Substitute for Assembly Bill No. 150, above reported, read first and second times and ordered on general file.

Senate Bill No. 50, above reported, read first and second times and referred to the Committee on Hospitals.

Senate Bill No. 89, above reported, read first and second times and referred to the Committee on Corporations.

Substitute for Senate Bill No. 53, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Assembly Concurrent Resolution No. 8, above reported, Senate amendment concurred in

Senate Bill No. 201, above reported, read first and second times and referred to the Committee on Public Buildings and Grounds

Senate Bill No. 160, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Senate Bill No. 227, above reported, substitute adopted; read first and second times, and by unanimous consent read a third time and passed; title approved.

Senate Bill No. 245, above reported, read first and second times, and by unanimous consent, read a third time and passed; title approved.

Assembly Bill No. 65, above reported, Senate amendment concurred in.

Senate Bill No. 181, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 180, above reported, read first and second times and referred to the Judiciary Committee.

REPORT

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report:

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled, substitute for Assembly Bill No. 113—An Act amendatory of and supplementary to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets, approved March thirtieth, eighteen hundred and sixty-eight.

And this day, at eleven o'clock A. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Naphtaly—An Act to amend an Act entitled an Act concerning attorneys and counsellors at law, approved February nineteenth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. McMillan—An Act to encourage the immigration of Scandinavian farmers to California.

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

GENERAL FILE.

Assembly Bill No. 152—An Act for the relief of Patrick Creighton, James Brennan and Patrick Donohue

Read a third time and passed; title approved

Assembly Bill No. 166—An Act for the relief of Samuel Clayton.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 204—An Act to amend an Act, approved March twelfth, eighteen hundred and sixty-eight, for the drainage of the City of Sacramento and of the lands of Swamp Land District Number Two

Temporarily passed on file

Subsequently taken up, amended and amendment adopted.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 226—An Act to legalize the name of Lake Bigler.

Mr. Duffy offered an amendment, and other amendments were offered, pending which, at half-past twelve o'clock P. M., the House took a recess

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled

Speaker in the chair.

Roll called

Quorum present.

Mr. De Haven was granted leave of absence for two days.

REPORT

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed substitute for Assembly Bill No. 3—Authorizing the laying down of a railroad track in certain of the streets of the City and County of San Francisco, for grading purposes.

Also, Assembly Bill No. 238—An Act to legalize assessments of State and county taxes in the several townships of El Dorado County.

Also, Assembly Bill No. 203—An Act to repeal an Act entitled an Act to amend section eighteen of an Act to establish and maintain public pounds for the better securing of estrays and other stock in the County of Alameda, approved March thirty-first, eighteen hundred and sixty-six

Also, Assembly Bill No. 182—An Act to authorize the Controller of State to credit the Treasurer of Tuolumne County with certain State poll tax receipts.

MARTIN (of Butte), Chairman.

GENERAL FILE RESUMED.

Assembly Bill No. 226 continued.

On motion of Mr. Lambert, the bill was amended by striking out the preamble.

Mr. Blankenship moved the previous question.

Sustained.

The amendment of Mr. Duffy was lost, on a division.

The bill, as amended, was ordered engrossed.

Rules suspended, bill considered engrossed and placed on its final passage.

Read a third time.

Mr Thomas moved the previous question.

Sustained.

When the bill passed, under the operation of the previous question ; title approved

Assembly Bill No. 233—An Act to fix the terms of the County Court and Probate Court of the County of Monterey.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 84—An Act to authorize Adela Thompson to convey real estate.

Substitute adopted.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No 41—An Act to create the office of Bank Commissioner and to prescribe his duties and powers.

Mr Gildea moved to refer to the Committee on Corporations.

Lost.

On motion of Mr. G. R. B. Hayes, the bill was made the special order for Tuesday, the eighth instant, at two o'clock P. M.

Assembly Bill No. 206—An Act to legalize and make valid the election of certain officers and prescribe their duties, in and for the County of Amador.

Substitute adopted.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Mr. Blankenship, by leave, presented a protest of taxpayers of Monterey County, against the division of said county.

Received and referred to the Committee on Counties and County Boundaries.

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

Assembly Bill No 170—An Act to authorize the Governor of the State of California to appoint three additional Notaries Public for the County of Santa Clara

The rules were suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 53—An Act to provide for the payment of the salary of the County Judge of Kern County.

Substitute adopted.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No 76—An Act to incorporate the City of Gilroy.

On motion of Mr. Thomas, the rules were suspended and the bill taken up out of its order on the file.

Substitute adopted.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
 Wednesday, February 2d, 1870 }

House met pursuant to adjournment.
 Speaker in the chair.
 Roll called
 Quorum present.
 Prayer by the Chaplain.
 Journal of yesterday read and approved.
 The Committee on Counties and County Boundaries were granted leave of absence to attend to committee duty.

PETITIONS.

Mr. King presented a petition from the citizens of Sierra, Plumas and other counties, favoring the formation of a new county, called Donner County.

Received and referred to the Committee on Counties and County Boundaries.

Mr. Carothers presented a petition from the citizens of the Town of Antioch and vicinity, and residents of Township Number Three, Contra Costa County, recommending a Justice of the Peace to be appointed in the above county.

Received and ordered on file.

Mr. Henley of Sonoma presented a petition, requesting the repeal of the law of this State requiring taxes to be paid in gold.

Received and referred to the Committee on Ways and Means

Mr. Naphtaly presented a petition from legal gentlemen of San Francisco, praying for the establishment of a public law library by Act of Legislature.

Received and ordered to the file, to be taken up with the bill.

Mr. Thomas presented a memorial from Ledgard Fine and Spencer P. Fine, in reference to an Act to provide for the sale and confirmation of certain lands belonging to the State, approved April twenty-seventh, eighteen hundred and sixty-three.

Received and referred to the Committee on Public Lands.

The Speaker, by request, presented the draft of a law to regulate the practice of pharmacy and the sale of poisons, and to prevent the adulteration of drugs and medicines, reported and discussed at the seventeenth annual meeting of the American Pharmaceutical Association, held in the City of Chicago, September, eighteen hundred and sixty-nine.

Received and referred to the Committee on Hospitals.

REPORTS OF STANDING COMMITTEES.

Mr. Rockwell, from the Committee on Commerce and Navigation, made the following report :

MR. SPEAKER : The Committee on Commerce and Navigation, to whom was referred Assembly Bill No 68—An Act donating the San Francisco and North Pacific Railroad Company certain salt marsh and tide lands in

the Counties of Marin and San Francisco—have considered the same, amended it in two important particulars, very materially reducing the amount of land granted, report the same back and recommend its passage as amended.

ROCKWELL, Chairman,
ROMER,
STEPHENS,
THURSTON.

Mr Moynihan was granted one day to prepare and present a minority report upon the above reported bill

On motion of Mr. Romer, the bill was made the special order for Wednesday next, the ninth instant, at two o'clock P. M., and ordered printed.

Mr. Rockwell, from the Committee on Commerce and Navigation, made the following report :

MR SPEAKER: The Committee on Commerce and Navigation, to whom was referred Assembly Bill No 202—An Act to improve the Stanislaus River for rafting logs, lumber, cordwood and fencing—have considered the same, amended it by making the franchise for twenty-five instead of fifty years, report the same back and recommend its passage as amended.

Also, have considered Assembly Bill No 200—An Act to authorize Robert Allison, Joel F. Wills, Abraham Klauber, Samuel Steiner, L. N. English and A. B. McKean to construct and maintain a wharf in front of pueblo lot number one thousand one hundred and sixty-three in South San Diego, in the County of San Diego, and report the same back without recommendation.

ROCKWELL, Chairman,

Mr. Brown of Amador, from the Committee on Elections, made the following report:

MR. SPEAKER: The Committee on Elections, to whom was referred Assembly Bill No 62—An Act to establish a uniform system of ballots to be used at all the elections in this State, and to punish the violation of the same—have had the same under consideration, report it back and recommend that it do not pass.

Your committee have also examined Assembly Bill No. 85—An Act to repeal an Act entitled an Act to provide for the registration of the citizens of this State and for the enrolment in the several election districts of all the legal voters thereof, etc—report the same back, and as there are some legal questions involved therein, recommend that it be referred to the Judiciary Committee.

BROWN (of Amador), Chairman.

Assembly Bill No 85, above reported, was referred to the Judiciary Committee.

Mr. Naphtaly, from the Judiciary Committee, made the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 255—An Act to amend an Act entitled an Act to provide

for the erection of county buildings in the County of Lake, and other matters in relation thereto, approved March twenty-fourth, eighteen hundred and sixty-eight—respectfully report that they have had said bill under consideration, and report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 114—An Act for the relief of Alpine County—and respectfully report the same back and recommend that the bill do not pass.

They have also considered Assembly Bill No. 212—An Act to amend section four of an Act entitled an Act to provide for the licensing of auctioneers and to define their duties and liabilities, approved April eighteenth, eighteen hundred and fifty-nine—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 215—An Act to legalize certain conveyances made by Gretta C Thompson—and respectfully report the same back and recommend the passage of the bill.

They have also considered Senate Bill No. 98—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one—and respectfully report the same back and recommend the passage of the bill.

They have also considered Senate Bill No. 181—An Act to expunge from the Journal the judgment of the Senate entered against James H. Hardy, on the fourteenth day of May, eighteen hundred and sixty-two—and respectfully report the same back and recommend the passage of the bill.

NAPHTALY, Chairman.

Mr Scarce, from the Committee on Agriculture, made the following report:

MR SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 213—An Act amendatory of an Act entitled an Act supplementary to an Act entitled an Act concerning hogs running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba and Santa Clara, approved May seventeenth, eighteen hundred and sixty-one—have had the same under consideration, and report it back and recommend its passage.

Also, Senate Bill No. 182—An Act to amend an Act entitled an Act to extend an Act entitled an Act to prevent stallions from running at large in the County of Sacramento, approved March twenty-eighth, eighteen hundred and fifty-eight, approved March twenty-eighth, eighteen hundred and sixty—report the same back and recommend its passage.

KELLEY, Chairman

Mr. Newell, from the Committee on Roads and Highways, made the following report:

MR SPEAKER: The Committee on Roads and Highways, to whom was referred Assembly Bill No. 140—An Act to authorize John N. Duddleston and his assigns to construct and maintain a toll road in Mono County—have had the same under consideration, and report it back and recommend its passage.

NEWELL, Chairman

Mr. Munday was excused for the remainder of the day

Mr. Slicer, from the Committee on Education, made the following report :

Mr. SPEAKER: The Committee on Education, to whom was referred Assembly Bill No 176—An Act to authorize the Board of Trustees of the Vallejo School District, in the County of Solano, to borrow money for school purposes—have had the same under consideration and recommend its passage.

SLICER, Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Ryan offered a resolution authorizing Newton Benedict, the Minute Clerk of the Assembly, to write up the Appendix and finish copying at the close of this session, and moved the adoption of the resolution

Mr. G. R. B. Hayes moved to refer to the Committee on Temporary Officers and Contingent Expenses.

Mr. Slicer offered a substitute, that one William Smith be appointed to copy the Appendix for this session

Eleven o'clock A. M. being the hour for the special order, to take up the general file —

Mr. Gildea moved to postpone the special order until the resolution under consideration was disposed of

Lost, on a division—ayes, 35 ; noes, 19

Mr. Fortune, by consent, made the following report :

Mr. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 71, have had the same under consideration and beg leave to report favorably on the same, with the insertion of the names, John A. Wise and Frank G. Edwards, in the blanks occurring in said bill.

FORTUNE, for Delegation

GENERAL FILE.

Assembly Bill No 126—An Act to authorize the Waucoma Water Company to construct aqueducts over certain lands therein named, and to lay down water pipes in the public streets of the City of San Diego and Town of South San Diego.

Read a third time and passed ; title approved.

Assembly Bill No. 153—An Act relating to the Board of Education of the City and County of San Francisco, and more particularly defining its powers and duties

Read a third time and passed ; title approved.

Substitute for Assembly Bill No. 21—An Act to amend an Act entitled an Act to protect sheep, Cashmere and Angora goats against the ravages of dogs, approved March thirteenth, eighteen hundred and sixty-six.

Read a third time and passed ; title approved

[Speaker pro tem. in the chair.]

Substitute for Assembly Bill No. 3—An Act authorizing the laying down of a railroad track in certain of the streets of the City and County of San Francisco for grading purposes

Mr. Martin of Butte moved to recommit to the Judiciary Committee, with special instructions.

Mr. Biggs moved to amend the instructions.

Accepted.

The motion was lost.

Mr. Biggs moved to make the bill the special order for half-past one o'clock P. M., on Monday.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker pro tem in the chair

Roll called.

Quorum present

Mr. Martin of Butte was granted indefinite leave of absence, on account of sickness.

INTRODUCTION OF BILLS.

By consent, the following bills were introduced :

By Mr. Murphy of Del Norte—An Act for the relief of J. L. Rigg, Tax Collector of Del Norte County.

Read first and second times and referred to the Committee on Claims

By Mr. Fryer—An Act to create the County of Anaheim, to define its boundaries and to provide for its organization and financial affairs.

Read first and second times and referred to the Committee on Counties and County Boundaries.

By Mr. Johnson—Proposed amendment to the Constitution of this State.

Read first and second times and referred to the Judiciary Committee.

By Mr. Oates—An Act amendatory of and supplementary to an Act to incorporate the City of Nevada, approved April nineteenth, eighteen hundred and fifty-six.

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

By Mr. Haile—An Act to authorize the Trustees of the City of Benicia to refund the debt of said city.

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

GENERAL FILE RESUMED.

Assembly Bill No. 3 continued

On the question to make the bill the special order for Monday next, at half-past one o'clock, a vote was taken by division.

The Speaker announced the vote to be—ayes, 33; noes, 30.

The ayes and noes were demanded by Messrs. Murphy of Santa Clara, Berry and G. R. B. Hayes.

Mr. Mooney rose to a point of order, stating that the vote had been announced and no further vote on the question was in order.

Sustained.

Mr. Murphy of Santa Clara appealed from the decision of the Chair.

On which the ayes and noes were demanded by Messrs. Stephens, Fortune, and Murphy of Del Norte, and the Chair was sustained, by the following vote :

AYES—Messrs. Andrews, Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Coronel, Crigler, Doss, Escandon,

Finney, Fortune, Fryer, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, Inman, Johnson, Koutz, Lambert, Lewelling, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Murphy of Del Norte and Klamath, Newell, Oates, Odell, Pool, Power, Robinson, Ryan, Sammons, Satterwhite, Scarce, Shores, Slicer, Thurston, Waldron, York and Young—49

NOES—Messrs. Berry, Duffy, Eichelroth, Green, Griswold, G. R. B. Hayes, M. Hayes, Hihn, Horan, King, Merritt, Moynihan, Murphy of Santa Clara, Naphtaly, O'Connell, Shoemaker, Stephens, Thomas and Williams—19

When the Speaker declared the motion to make the bill the special order for Monday next, at one and a half o'clock P. M., had carried.

SPECIAL ORDER.

Assembly Bill No. 95—An Act to amend an Act concerning the Insane Asylum of California and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three

[Mr. Satterwhite in the chair.]

Mr. Gildea offered an amendment

Lost

Mr. Duffy offered an amendment to section four.

Lost

Mr. Haile offered to amend, as follows: Strike out the words "the Legislature in joint convention," where they occur in section four, and insert, "the Board of Directors of the Insane Asylum"

On which the ayes and noes were demanded by Messrs. Gildea, Haile and Berry, and the House refused to adopt the amendment, by the following vote:

AYES—Messrs. Andrews, Berry, Biggs, Carothers, Crigler, Duffy, Eichelroth, Gildea, Haile, Hihn, Hubner, Inman, Johnson, Koutz, Lewelling, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Newell, Power, Rockwell, Sammons, Thurston, Walden, Waldron, Williams and York—28

NOES—Messrs. Appling, Blankenship, Brown of Amador, Brown of Yuba, Colonel Doss, Escandon, Fortune, Freeman, Fryer, Green, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, King, Lambert, Martin of Siskiyou, McClaskey, McMillan, Merritt, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Odell, Pool, Robinson, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas and Young—42.

Mr. McMurry of Trinity offered an amendment to section four.

Adopted

Mr. Gildea moved a call of the House

Lost

Mr. Lambert moved that the rules be suspended, bill considered engrossed and placed on its final passage

Mr. Fortune moved the previous question.

On which the ayes and noes were demanded by the requisite number, and the main question was ordered, by the following vote:

AYES—Messrs. Appling, Blankenship, Brown of Amador, Brown of Yuba, Coronel, Doss, Escandon, Fortune, Freeman, Fryer, Green, Griswold, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Horan, King, Lambert, Martin of Siskiyou, McClaskey, McMillan, Merritt, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Odell, Pool, Robinson, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas and Young—40.

NOES—Messrs. Andrews, Berry, Biggs, Carothers, Crigler, Duffy, Eichelroth, Finney, Gildea, Haile, Hihn, Hubner, Hudson, Inman, Johnson, Koutz, Lewelling, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Murphy of Santa Clara, Newell, Power, Rockwell, Sammons, Thurston, Walden, Waldron, Williams and York—30.

On the engrossment of the bill, the ayes and noes were demanded by Messrs. Duffy, Waldron and Mooney, and it was ordered engrossed, by the following vote:

AYES—Messrs. Appling, Blankenship, Brown of Amador, Brown of Yuba, Coronel, Doss, Escandon, Fortune, Freeman, Fryer, Green, Griswold, M. Hayes, Henley of Sonoma, Horan, Hudson, King, Lambert, Martin of Siskiyou, McClaskey, McMillan, Merritt, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Odell, Pool, Robinson, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas and Young—37.

NOES—Messrs. Andrews, Berry, Biggs, Carothers, Crigler, Eichelroth, Finney, Gildea, Haile, Hihn, Hubner, Inman, Johnson, Koutz, Lewelling, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Murphy of Santa Clara, Newell, Power, Rockwell, Sammons, Thurston, Walden, Waldron, Williams and York—29.

REPORT.

Mr. Lambert, from the Committee on Ways and Means, by leave, made the following report:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Senate Bill No. 5—An Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State, passed May seventeenth, eighteen hundred and sixty-one—have considered the same, and report the bill back to the Assembly, with a substitute therefor, and recommend the passage of the substitute.

The committee also herewith report a bill for an Act to provide for the payment of deficiency in the State Insane Asylum—and respectfully recommend its passage

LAMBERT, Chairman.

The bill reported by the Committee on Ways and Means—An Act to provide for the payment of deficiency in the State Insane Asylum—was taken up, rules suspended, and bill read first and second times

Considered in Committee of the Whole

[Mr. Satterwhite in the chair]

IN ASSEMBLY.

Bill reported back and passage recommended.

By unanimous consent, read a third time and passed; title approved.

On motion of Mr. Berry, Assembly Bill No 237 was referred back to the Committee on Swamp and Overflowed Lands.

On motion of Mr. Blankenship, Assembly Bill No 169 was ordered printed

Mr. Henley of Sonoma, moved to take up Senate messages

Lost

REPORTS

Mr. Newell, from the Committee on Engrossment, made the following report :

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 221—An Act for the relief W. D. Perkins

Also, Assembly Bill No. 233—An Act to fix the terms of the County Court and Probate Court of the County of Monterey

Also, Assembly Bill No. 226—An Act to legalize the name of Lake Bigler.

Also, substitute for Assembly Bill No. 84—An Act to declare Adela Thompson of lawful age.

Also, Assembly Bill No. 166—An Act for the relief of Samuel Clayton.

Also, Assembly Bill No. 204—An Act to amend an Act, approved March twelfth, eighteen hundred and sixty-eight, entitled an Act to provide for the drainage of the City of Sacramento and of the land of Swamp Land District Number Two.

NEWELL, for Committee

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 65—An Act to amend an Act entitled an Act respecting the Trustees of San Diego, approved April twenty-eighth, eighteen hundred and fifty-two.

And this day, at eleven o'clock and ten minutes A. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. Oates, by leave, presented a petition from citizens of Nevada County, opposing the creation of the proposed new County of Donner.

Received and referred to the Committee on Counties and County Boundaries

Mr. Hihn had leave to withdraw Assembly Bill No. 269.

GENERAL FILE RESUMED.

Assembly Bill No. 20—An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library, and to secure the use of the same to the Courts held at San Francisco, the bar, the city and county government and the people of the City and County of San Francisco.

At four o'clock and twenty-three minutes P. M. Mr. Moynihan moved to adjourn.

Lost.

Mr. Oates offered an amendment to the bill

Lost.

[Mr. Gildea in the chair.]

At four o'clock and thirty-five minutes P. M. Mr. Oates moved to adjourn.

Lost.

Assembly Bill No. 20 resumed—amendment adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Satterwhite moved a call of the House.

Lost, on a division

Assembly Bill No. 181—An Act for the relief of the District Collectors of Revenue Districts One, Two, Three and Four, in Tuolumne County.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

At four o'clock and forty-five minutes P. M., on motion of Mr. Berry, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, February 3d, 1870. }

House met pursuant to adjournment.

Speaker pro tem. in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Committee on State Hospitals were granted indefinite leave of absence.

Mr. Hudson was granted leave of absence for three days, and Messrs Miller of El Dorado, Slicer and Stephens, for one day.

PETITIONS.

Mr. Sammons presented a remonstrance from citizens of Sierra and Plumas Counties, against the formation of the proposed new County of Donner.

Referred to the Committee on Counties and County Boundaries.

Mr. Waldron presented a remonstrance from citizens of Placer County, against the formation of the proposed new County of Donner.

Referred to the Committee on Counties and County Boundaries.

Mr. Carothers presented a remonstrance from citizens of township number three, of Contra Costa County, against the passage of an Act appointing an additional Justice of the Peace for that township.

Petition of yesterday, with remonstrance, referred to the Judiciary Committee

REPORTS OF STANDING COMMITTEES.

Mr. Rockwell, from the Committee on Commerce and Navigation, made the following report:

Mr SPEAKER: The Committee on Commerce and Navigation have considered Assembly Bill No 217—An Act to provide for the improvement of the navigation of the Russian River and to declare said river a navigable stream—amended the same and recommend its passage as amended.

ROCKWELL, Chairman.

Mr. Moynihan was granted further time to make a minority report on Assembly Bill No 68

Mr King, from the Committee on Corporations, made the following report:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No 92—An Act to incorporate the City of Anaheim—have considered the same, and report the bill back and recommend its passage.

Also, Assembly Bill No. 280—An Act to authorize the incorporation of yacht clubs—report the same back and recommend its passage

KING, Chairman.

REPORTS OF SELECT COMMITTEES.

Mr. McMurry of Trinity, from the Committee on Contingent Expenses, made the following report:

Mr SPEAKER: Your Committee on Contingent Expenses, to whom was referred a resolution appointing John Conway, Assistant Fireman, have had the same under consideration, and report the same back and recommend that it do not pass

McMURRY, Chairman

Mr. Fortune, from the San Francisco delegation, made the following report:

Mr. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 151—An Act empowering the Board of Education of the City and County of San Francisco to pay the claim of W. Craine—have had the same under consideration, and herewith report the same back and recommend its passage.

Also, Assembly Bill No 148—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco and upon the Auditor and Treasurer thereof—have had the same under consideration, and herewith report the same back and recommend its passage.

They have also had under consideration Assembly Bill No 262—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco and upon the Auditor and Treasurer thereof, and authorize certain appropriations by said Board—and herewith recommend its passage as amended.

FORTUNE, for Delegation.

MOTIONS AND RESOLUTIONS.

The following resolution, offered by Mr. Ryan, on yesterday, was taken up.

Resolved, That Newton Benedict, Minute Clerk of the Assembly, is hereby authorized to complete and compile the Appendix of the Assembly and furnish the State Printer copy thereof, and of the minutes of the House, and such other copying as may not be completed upon the adjournment of the Legislature, at the rate of fifteen cents per folio; and the Secretary of State shall estimate and certify the same, upon which certificate the Controller of State is hereby authorized to draw his warrant, payable out of the Contingent Fund of the Assembly

Adopted.

Mr. Merritt offered the following resolution :

Resolved, That the Sergeant-at-Arms be and is hereby directed to procure a suitable room for the use of the Committee on Counties and County Boundaries.

Adopted.

Mr Biggs was granted leave of absence until two o'clock P. M.

On motion of Mr. Berry, Assembly Bill No. 137 was ordered printed

Mr. Merritt offered a resolution to authorize the Committee on Counties and County Boundaries to employ a clerk.

Referred to the Committee on Contingent Expenses.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
February 1st, 1870. }

MR. SPEAKER : I am directed to inform the Assembly that the Senate, on yesterday, adopted Senate Concurrent Resolution No. 23—An additional rule to the joint rules of the Senate and Assembly, relative to amendments attached to bills.

Also, on yesterday, amended and passed Senate Bill No. 7—An Act to provide and pay for services rendered for the City and County of San Francisco

And, on Saturday, January twenty-ninth, passed Senate Bill No 228—An Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in the County of San Mateo.

Also, Senate Bill No 135—An Act to authorize Morris Wolff, Louis Jacobs and John Ruffin, and their assignees, owners of an artesian well

in the Town of San Bernardino to lay down water pipes in the public streets of said town

ROBERTS.
Secretary.

CONSIDERATION OF SENATE MESSAGE

Senate Concurrent Resolution No 23, above reported, read and concurred in

Senate Bill No 7, above reported, read first and second times and referred to the San Francisco delegation

Senate Bill No. 228, above reported, read first and second times and referred to the Santa Cruz delegation.

INTRODUCTION OF BILLS

The rules were suspended and the following bills introduced :

By Mr. Inman—An Act to authorize and empower Joshua A. Neal to sell and convey all the interest, property and estate of Maria and Josefa Neal, minor children of said Joshua A. and his deceased wife, Angela Bernal Neal, in certain lands in Alameda County

Read first and second times and referred to the Judiciary Committee

By Mr. Eichelroth—An Act to authorize the Treasurer of Tuolumne County to pay certain outstanding warrants against said county

Read first and second times

By unanimous consent, rules suspended, bill considered engrossed, read a third time and passed ; title approved

Also, an Act to provide for the redemption of and prescribing the manner of redeeming the outstanding county warrants drawn upon the Treasurer of Tuolumne County, and further to provide for the payment of the current expenses of said Tuolumne County in cash.

Read first and second times and ordered on the general file.

By Mr. M. Hayes—An Act to authorize Joseph Clark, R. W. Apperson, George Treat, George D. Roberts and William H. Clary, their associates and assigns, to construct gas works and lay down gas pipes in the City of San Francisco.

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

SENATE MESSAGES

The following messages were received from the Senate :

SENATE CHAMBER,
February 2d, 1870. }

Mr. SPEAKER : I am directed to inform the Assembly, that the Senate, on yesterday, passed Senate Bill No. 207—An Act for the payment of the salary of the County Judge of Tuolumne County

Also, Senate Bill No 238—An Act making appropriations for deficiencies in the appropriations for the twenty-first fiscal year.

Also, under suspension of the rules, passed Assembly Bill No 142—An Act to authorize the Board of Supervisors of Mono County to levy a special tax for a Contingent Fund.

CURTIS,
Assistant Secretary.

SENATE CHAMBER.

February 2d, 1870. }

Mr. SPEAKER : I am directed to inform the Assembly, that the Senate, on Monday, January thirty-first, passed substitute for Senate Bill No. 213—An Act entitled an Act to authorize Bridget Stannah, administratrix of the estate of William Stannah, to sell the real estate belonging to said estate

Also, passed Senate Bill No. 284—An Act to authorize the Board of Supervisors of the County of Amador to levy an additional tax for county expenditures

Also, passed Senate Bill No. 249—An Act for the relief of Gordon E. Sloss.

Also, passed Senate Bill No. 278—An Act to authorize the Supervisors of Kern County to levy a special tax for the County Current Expense Fund.

Also, this day, passed Senate Bill No. 48—An Act for the relief and support of the California Labor Exchange.

CURTIS,
Assistant Secretary

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 135, above reported, read first and second times and referred to the Committee on Corporations.

Senate Bill No. 207, above reported, read first and second times and referred to the Tuolumne delegation

Senate Bill No. 238, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Bill No. 48, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Bill No. 213, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 284, above reported, read first and second times and referred to the Amador and Alpine delegation.

Senate Bill No. 249, above reported, read first and second times and referred to the Committee on Claims.

Senate Bill No. 278, above reported, read first and second times and, under a suspension of the rules and by unanimous consent, read a third time and passed; title approved

At eleven o'clock A. M., being the hour for the special order—consideration of general file—on motion of Mr. Satterwhite, the special order was postponed to take up the regular order of business.

NOTICE.

Notice of the introduction of a bill was given as follows:

By Mr. Doss—An Act providing for the drainage and reclamation of certain lands and navigation between certain places.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Satterwhite—An Act amendatory of and supplementary to an Act entitled an Act relating to fire and marine insurance companies, approved April second, eighteen hundred and sixty-six

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

Also, an Act concerning the funded debt of San Bernardino County.

Read first and second times, and by unanimous consent, rules suspended, bill considered engrossed, read a third time and passed; title approved.

By Mr. Henley of Sonoma—An Act to divide the State into congressional districts

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

By Mr. Rockwell—An Act to provide for the collection of municipal licenses in the City and County of San Francisco.

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

By Mr. Blankenship—An Act entitled an Act to authorize the County of Monterey to aid in the construction of a railroad within its limits and for other purposes pertaining thereto.

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

By Mr. Scarce—An Act to authorize the County of Colusa to give its bonds to the California Pacific Railroad Company, a corporation organized and working by and under the general railroad laws of this State, and to provide for the payment of said bonds

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

Also, an Act to authorize the County of Tehama to give its bonds to the California Pacific Railroad Company, a corporation organized and working by and under the general railroad laws of this State, and to provide for the payment of said bonds

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

By Mr. G. R. B. Hayes—An Act for the relief of Richard Long.

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

By Mr. Blankenship—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof

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

By Mr. Horan—An Act to regulate tariffs and charges on telegraph lines in this State.

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

By Mr. Inman—An Act to amend an Act entitled an Act to separate the office of County Recorder from that of County Clerk in the County of Alameda, and to provide for the election of a County Recorder therein, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times, rules suspended, bill considered engrossed, and by unanimous consent, read a third time and passed; title approved.

GENERAL FILE.

Assembly Bill No. 88—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Read a third time and passed; title approved.

Senate Bill No 26—An Act to pay the claim of H. F. Hastings, assignee of George Seckel, Clerk of the Supreme Court

Read a third time and passed; title approved

Senate Bill No 98—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one

Read a third time and passed, title approved

Assembly Bill No 150—An Act to amend an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties

Senate substitute adopted and subsequently taken up, read a third time and passed; title approved

Senate Bill No 181—An Act to expunge from the Journal the judgment of the Senate entered against James H. Hardy, on the fourteenth of May, eighteen hundred and sixty-two

Read a third time.

On the passage of the bill, the ayes and noes were demanded by the requisite number, and it passed, by the following vote:

AYES—Messrs. Appling, Berry, Blankenship, Brown of Amador, Brown of Yuba, Coroneel, Crigler, Doss, Escandon, Fortune, Freeman, Fryer, Gildea, Haile, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Johnson, Kelley, King, Lambert, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Rockwell, Ryan, Satterwhite, Scarce, Shoemaker, Shores, Thomas, Thurston, Walden, Young and Mr. Speaker—51.

NOES—Messrs. Andrews, Carothers, De Haven, Duffy, Finney, Hibn, Inman, Koutz, Lewelling, Power, Sammons and Waldron—12.

Title approved.

Mr. Blankenship moved a call of the House.

Lost.

Senate Bill No 182

Passed on file

Substitute for Senate Bill No. 5—An Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State passed May seventeenth, eighteen hundred and sixty-one.

Read a third time and passed; title approved

Assembly Bill No 121—An Act to amend an Act entitled an Act to protect sheep and lambs in this State

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 51—An Act for the relief of the San Francisco Cadets

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 1.

Recommended to the Judiciary Committee

Messrs Berry and Ryan were granted leave of absence for the remainder of the day.

Assembly Bill No 63—An Act to provide for the assessment of mining claims in the State of California

Mr. Lambert moved to strike out the enacting clause of the bill

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED

At half-past one o'clock P. M. the House reassembled.

Speaker pro tem. in the chair.

Roll called.

Quorum present

GENERAL FILE RESUMED.

Assembly Bill No 63 continued.

Mr. Lambert, by consent, withdrew his motion to strike out the enacting clause, when the author was allowed to withdraw the bill from the further consideration of the House.

REPORTS.

Mr Biggs, on leave, made the following report :

MR. SPEAKER: The Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 201—An Act making appropriations for payment of claims for furniture, carpets, etc., purchased by the Secretary of State for furnishing the new Capitol, and furnishing Supreme Court room and Supreme Judges' rooms—have had the same under consideration, and respectfully report the bill back and recommend its passage.

BIGGS,
SHOEMAKER.
DUFFY,
McCLASKEY,
MURPHY.

On motion of Mr King, the rules were suspended to allow him to introduce an Act to authorize the State Treasurer to surrender certain bonds.

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

Mr. Newell, from the Committee on Engrossment, made the following report :

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 181—An Act for the relief of the District Collectors of Revenue Districts One, Two, Three and Four, in Tuolumne County.

Also, Assembly Bill No. 293—An Act to provide for the payment of deficiency in the State Insane Asylum

Also, Assembly Bill No. 170—An Act to authorize the Governor of the State of California to appoint three additional Notaries Public for the County of Santa Clara.

Also, substitute for Assembly Bill No. 206—An Act to legalize and make valid the election of certain officers and prescribe their duties, in and for the County of Amador.

Also, substitute for Assembly Bill No. 53—An Act to provide for the payment of the salary of the County Judge of Kern County.

NEWELL, for Committee.

Mr. Murphy of Del Norte was granted leave of absence for one day.
Mr. Brown of Yuba, from the Committee on Enrolment, made the following report:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Joint Resolution No. 3—Relative to the building of a breakwater at Crescent City.

Also, Assembly Bill No. 67—An Act confirming certain resolutions and ordinances passed by the President and Trustees of San Diego

And this day, at eleven o'clock and fifteen minutes A. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee

GENERAL FILE RESUMED.

Assembly Bill No. 70—An Act to authorize Assessors to complete duties imperfectly performed.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 216—An Act more fully defining the crime of larceny.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 97—An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof.

Amendment adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 146, recommitted to the Judiciary Committee

SPECIAL ORDER.

Senate Bill No. 33—An Act for the relief of L. P. Hall and Samuel J. Garrison.

On motion of Mr. Murphy of Santa Clara, the special order was temporarily postponed, and Assembly Bill No. 143—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April nineteenth, eighteen hundred and fifty-one—taken up.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Senate Bill No. 33 being the special order, was taken up.

Considered in Committee of the Whole.

[Speaker pro tem. in the chair.]

IN ASSEMBLY.

Reported back and passage recommended

Mr. Waldron moved to make the bill the special order for Wednesday next.

Lost.

Mr. G. R. B. Hayes moved that the bill be referred to the Judiciary Committee, with special instructions to report a substitute therefor,

giving Messrs. Hall and Garrison a right of action against the County of Tulare.

Mr. McMurry of Trinity moved the previous question.

Sustained.

On the motion to refer, with special instructions, the ayes and noes were demanded by Messrs. G. R. B. Hayes, De Haven and Waldron, and the House refused, by the following vote :

AYES—Messrs. Biggs, Calderwood, De Haven, Duffy, Finney, Lewelling, Murphy of Del Norte and Klamath, Power, Sammons, Waldron and York—11.

NOES—Messrs. Andrews, Appling Berry, Blankenship, Brown of Amador, Brown of Yuba, Corone!, Crigler, Doss, Escandon, Fortune, Freeman, Gildea, Haile, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Inman, Johnson, Kelley, King, Lambert, Martin of Siskiyou, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Mooney, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Robinson, Romer, Satterwhite, Scarce, Shoemaker, Shores, Thomas and Young—49.

Bill read a third time.

On its passage, the ayes and noes were demanded by Messrs. Finney, De Haven and Murphy of Del Norte, and it passed, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Blankenship, Brown of Amador, Brown of Yuba, Corone!, Crigler, Doss, Escandon, Fortune, Freeman, Gildea, Haile, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Inman, Johnson, Kelley, Lambert, Martin of Siskiyou, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Mooney, Moynihan, Munday, Newell, Oates, O'Connell, Odell, Pool, Robinson, Romer, Satterwhite, Scarce, Shoemaker, Shores, Thomas and Young—45.

NOES—Messrs. Biggs, Calderwood, De Haven, Duffy, Finney, Hihn, King, Lewelling, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Power, Sammons, Waldron and York—15.

Title approved.

Mr. Berry stated that he voted for the bill because he thought it better for the State to lose two thousand dollars than for Hall and Garrison to lose three thousand dollars, to which he believed they were justly entitled; but while so voting for that reason, he desired to enter his protest against the allowance of five thousand dollars, the full amount claimed.

At five o'clock P. M., on motion of Mr. Fortune, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, February 4th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Rev. Dr. Lucky

Journal of yesterday read and approved

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

QUESTION OF PRIVILEGE.

Mr. Mooney rose to a question of privilege, stating that when the vote was taken yesterday on Senate Bill No. 181—An Act to expunge from the journal the judgment of the Senate entered against James H. Hardy on the fourteenth day of May, eighteen hundred and sixty-two—he, was unavoidably absent, and asked that his vote be recorded in the affirmative on the passage of the bill

Mr. Miller of El Dorado asked to have his vote so recorded, and Mr. Rogers (the Speaker) made the same request

By unanimous consent, it was so ordered

REPORTS OF STANDING COMMITTEES.

Mr. Moynihan in accordance with previous notice, presented a minority report from the Committee on Commerce and Navigation, in reference to Assembly Bill No. 68, reporting adversely to the passage of the bill.

Mr. Rockwell moved that the House reject the report, as it contained personal reflections upon one of the members of the committee.

Mr. Murphy of Santa Clara moved to amend, and that the Clerk be authorized to strike out the objectionable portion of the report, or that portion of a personal nature.

So ordered

Mr. Duffy moved to print the usual number of copies of the report as amended.

Lost.

Mr. King, from the Committee on Corporation, made the following report :

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 267—An Act to authorize W. W. Fowler, George J. Hooper, and their associates and assigns, to lay down gas pipes in the City of San Diego—have had the same under consideration and beg leave to report said bill back with amendment, as follows: by adding to the last line or end of section five of the Act, the words "except at crossings of streets where they would necessarily intersect," and with such amendment recommend its passage

KING, Chairman

REPORTS OF SELECT COMMITTEES

Mr. Horan submitted the following minority report from the Sacramento delegation :

MR. SPEAKER : The undersigned, members of the Sacramento delegation, to whom was referred Assembly Bill No. 193—An Act to provide for the selection and condemnation of a site for a city and county hospital for the City and County of Sacramento—have had the same under consideration, report it back to the House and recommend its passage.

HORAN,
DUFFY

Mr. Stevens submitted the following majority report. from the same committee :

MR. SPEAKER : A majority of the Sacramento delegation, to whom was referred Assembly Bill No. 193—An Act to provide for the selection and condemnation of a site for a city and county hospital for the City and County of Sacramento—respectfully beg leave to report the same back and recommend its indefinite postponement.

STEPHENS,
FREEMAN,
ODELL.

Mr. Fortune, from the San Francisco delegation, made the following report :

MR. SPEAKER : The San Francisco delegation, to whom was referred Senate Bill No. 7—An Act to provide and pay for services rendered for the City and County of San Francisco—have had the same under consideration, and herewith report favorably and recommend the passage of the same.

They have also had under consideration Assembly Bill No. 263—An Act for the relief of certain settlers on the outside lands of the City and County of San Francisco—and herewith report the same back without recommendation.

FORTUNE, for Delegation.

Mr. De Haven, from the Humboldt delegation, made the following report :

MR. SPEAKER : The Humboldt delegation, to whom was referred Assembly Bill No. 240—An Act to authorize John Dolbeer and others to construct booms upon Elk River in Humboldt County—respectfully report the same back, with a substitute, and recommend the passage of the substitute

DE HAVEN, for Delegation.

GOVERNOR'S MESSAGE.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 Sacramento, February 3d. 1870. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 141—An Act to authorize the Board of Supervisors of Mono County to transfer moneys from one fund to another

Also, Assembly Bill No. 106—An Act to amend section one of an Act entitled an Act to amend an Act entitled an Act to fix the amount of official bonds of county officers in and for the Counties of Klamath and Del Norte, approved March twenty-sixth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 82—An Act to amend an Act to authorize the Board of Supervisors of Inyo County to levy a special tax for building purposes, approved January twenty-ninth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 113—An Act amendatory of and supplemental to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets, approved March thirtieth, eighteen hundred and sixty-eight

H. H. HAIGHT,
 Governor.

MOTIONS AND RESOLUTIONS.

Mr. Haile offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That the Committee on Education of the Assembly and Senate are directed to visit the State University, State Normal School, Deaf and Dumb Asylum and such other educational institutions as receive State aid.

Adopted.

Mr. Griswold was granted leave of absence for two days, and Mr. McClaskey had indefinite leave of absence granted him.

Eleven o'clock A. M. being the hour for the special order to take up the general file, on motion of Mr. Haile, the following bill was taken up out of its order on the file :

Assembly Bill No. 176—An Act to authorize the Board of Trustees of the Vallejo School District, in the County of Solano, to borrow money for school purposes.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

REPORT.

Mr. Newell, from the Committee on Engrossment, made the following report :

MR. SPEAKER : Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed substitute for Assembly Bill No. 76—An Act entitled an Act to incorporate the City of Gilroy

NEWELL, of Committee.

GENERAL FILE.

Senate Bill No 182—An Act to amend an Act entitled an Act to extend an Act entitled an Act to prevent stallions from running at large in the County of Sacramento, approved March twenty-eighth, eighteen hundred and fifty-nine, approved March twenty-eighth, eighteen hundred and sixty.

Amended and recommitted to the Committee on Agriculture.

Senate Bill No. 92—An Act for the incorporation of the City of Anaheim

Read a third time and passed, title approved.

Senate Bill No 201—An Act making appropriations for payment of claims for furniture, carpets, etc, purchased by the Secretary of State for furnishing the new State Capitol, and furnishing Supreme Court-room and Supreme Judges' rooms

Considered in Committee of the Whole

[Speaker in the chair.]

IN ASSEMBLY.

Reported back and passage recommended

Read a third time and passed, title approved

Assembly Bill No. 192—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twentieth, eighteen hundred and sixty-two.

Referred to the Judiciary Committee

Assembly Bill No 174 temporarily passed on the file, and subsequently, together with Assembly Bill No 175, withdrawn by the author of the bills from the further consideration of the House.

Assembly Bill No 252—An Act concerning roads and highways in San Bernardino County

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No 169—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco.

Rules suspended, bill considered engrossed read a third time and passed; title approved

Assembly Bill No. 210—An Act to confer further power on the Board of Supervisors of the City and County of San Francisco.

Amendment adopted

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No 81—An Act to confirm certain orders passed by the Board of Supervisors of the City and County of San Francisco, and to authorize said Board to appropriate money for certain purposes

Substitute adopted

Rules suspended, bill considered engrossed, read a third time and passed, title approved.

INTRODUCTION OF BILLS

The rules were suspended and the following bills were introduced :

By Mr Doss—An Act to regulate the time for commencing assessments in Kern County.

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

By Mr Berry—An Act to authorize the Board of Supervisors of the County of Sutter to enter upon, condemn and take possession of a certain tract of land in said county, to be used as a public graveyard

Read first and second times and ordered on the general file.

By Mr Blankenship—An Act to amend section thirty-six of an Act entitled an Act to provide revenue for the support of the Government of this State, passed February twenty-fifth eighteen hundred and fifty.

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

By Mr Martin of Butte—An Act to amend an Act concerning Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-seven.

Read first and second times and referred to the Judiciary Committee

By Mr Naphtaly (by request)—An Act to establish a morgue for the City and County of San Francisco

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

Also, an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one

Read first and second times and referred to the Judiciary Committee

Also, an Act supplemental to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Read first and second times and referred to the Judiciary Committee

Also, an Act to authorize the Odd Fellows' Cemetery Association of San Francisco to borrow money for certain purposes, and to secure the same by mortgage upon real estate

Read first and second times and ordered on the general file

GENERAL FILE

Assembly Bill No. 211—An Act amendatory of and supplemental to an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourth, eighteen hundred and fifty-three, and the Acts amendatory thereof and supplemental thereto

Ordered engrossed

Assembly Bill No. 253—An Act to authorize the Board of Supervisors of Sonoma County to transfer certain moneys from the General Fund to the Road Fund.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No 89

Passed on the file

Assembly Bill No 184

Referred to the Judiciary Committee

Assembly Bill No 127—An Act to incorporate the San Buenaventura Water Company.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

At half-past twelve o'clock p m the House took a recess

REASSEMBLED

At half-past one o'clock P. M. the House reassembled

Speaker in the chair.

Roll called.

Quorum present

Mr. Sammons was granted leave of absence until the sixth instant

GENERAL FILE RESUMED.

Assembly Bill No. 281—An Act granting leave of absence from the State to D. B. Spagnoli, County Clerk of Amador County.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 187—An Act concerning the office of the County Clerk of the City and County of San Francisco

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bills Nos. 227 and 235

Passed on file.

Assembly Bill No. 137.

Referred back to the Judiciary Committee

Assembly Bill No. 164

Passed on file.

Assembly Bill No. 230—An Act to fix the amount of the official bond of the Sheriff of Calaveras County

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 162—Authorizing J. Brickell and associates to improve the channel of Truckee River, erect floodgates and collect tolls.

Mr. Power offered an amendment.

SPECIAL ORDER.

Pending the consideration of the amendment, the hour arrived for considering the special order for two o'clock P. M.

Assembly Bill No. 13—An Act to establish and maintain a police force for the protection and regulation of Asiatic and Mongolian residents of this State, and to prevent coolie slavery in California.

Mr. Rockwell moved to discharge the special order, and that the bill be placed at the top of the file for to-morrow.

Mr. Lewelling offered an amendment, to postpone the special order to seven o'clock P. M.

Lost.

The motion of Mr. Rockwell prevailed

GENERAL FILE RESUMED.

The amendment offered by Mr. Power to Assembly Bill No. 162, was lost, on a division.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 171—An Act for the relief of John Cartheche, Deputy Sheriff of El Dorado County.

Considered in Committee of the Whole.

[Mr. Henley of Sonoma in the chair]

IN ASSEMBLY.

Reported back and passage recommended

Rules suspended, bill considered engrossed. read a third time and passed; title approved

Assembly Bill No. 62

Passed on file.

Assembly Bill No. 71—An Act amendatory of and supplemental to an Act entitled an Act to establish a paid Fire Department for San Francisco, approved March second, eighteen hundred and sixty-six.

Amended, rules suspended, bill considered engrossed and read a third time

Mr. McMurry of Trinity moved to recommit the bill, with special instructions.

Lost.

When the bill passed; title approved.

INTRODUCTION OF BILLS.

The following bills were introduced, by consent:

By Mr. McMurry of Trinity—An Act to amend an Act to cede certain property to the Town of Crescent City, approved March twenty-sixth, eighteen hundred and sixty-eight

Read first and second times and ordered on general file.

By Mr. Henley of Mendocino—An Act to authorize C. A. Niles, W. S. Greenwood, C. E. Baldwin and G. S. Morton, and their assigns, to construct and maintain a wharf, chute and flume at or near the mouth of Greenwood Creek, and to charge and collect tolls for the use of the same.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Crigler—An Act to provide for the building of a bridge across Putah Creek, in Napa County, and to authorize the Supervisors of Napa County to levy a special tax for that purpose.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Coronel—An Act entitled an Act to except the County of Los Angeles from so much of the provisions of sections seventeen and eighteen of an Act entitled an Act to regulate fees in office, approved March twenty-eighth, eighteen hundred and sixty-eight, as requires the payment of fees to jurors and witnesses in criminal cases

Read first and second times and referred to the Committee on Fees and Salaries.

REPORTS.

Mr. McMurry of Trinity, from the Committee on Contingent Expenses, made the following reports:

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred a resolution allowing the Committee on Counties and County Boundaries to employ a Clerk, have had the same under consideration, and report it back, with amendment, and recommend its passage as amended.

McMURRY (of Trinity), Chairman.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred a resolution allowing the Enrolling Clerk to employ assistance, have had the same under consideration, and report the same back, with a substitute, and recommend the passage of the substitute.

McMURRY (of Trinity), Chairman.

The resolutions, as amended, were taken up, as follows :

Resolved, That the Committee on Counties and County Boundaries be and are hereby authorized to employ a Clerk for said committee, at a per diem of six dollars, with power to discharge said Clerk when they deem his services no longer necessary.

Adopted.

Resolved, That the Enrolling and Engrossing Clerks be authorized to appoint such assistance as the Committees on Enrolment and Engrossment may respectively find necessary for the performance of their duties, such assistants to be allowed the same per diem as is allowed Copying Clerks, payable out of the Contingent Fund of the Assembly.

Adopted.

Mr. Henley of Sonoma, Chairman of the Committee on Federal Relations, verbally reported back Assembly Concurrent Resolution No 26, and recommended the same be referred to the Committee on Mines and Mining Interests

So ordered

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 142—An Act to authorize the Board of Supervisors of Mono County to levy a special tax for a Contingent Fund.

And this day, at eleven o'clock A. M., presented the same to the Governor for his approval

BROWN (of Yuba), for Committee.

GENERAL FILE RESUMED.

Assembly Bill No 114—An Act for the relief of Alpine County.

The recommendation of the Judiciary Committee was adopted and the bill was rejected.

At four o'clock and thirty-five minutes P. M., on motion of Mr. Finney, the House adjourned

GEO H. ROGERS,
Speaker

ROBT FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.

Saturday, February 5th, 1870. }

House met pursuant to adjournment.

Speaker pro tem. in the chair

Roll called

Quorum present

Prayer by the Chaplain.

Journal of yesterday read and approved

Messrs Haile and Ryan were granted leave of absence for one day

PETITIONS

Mr. Andrews presented a petition from citizens of Shasta County, praying for an amendment to an Act in reference to the herding of sheep

Received and referred to the Committee on Agriculture.

Mr. Walden presented a petition from citizens of Merced County, praying for the enactment of a trespass law, similar to the law in force in Yolo County

Received and referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Mr. Naphtaly, from the Judiciary Committee, made the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 154—An Act to ratify and confirm certain ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco and proceedings had thereunder—respectfully report that they have had the same under consideration and recommend the passage of said bill.

They have also duly considered substitute for Senate Bill No. 213—An Act to authorize Bridget Stannah, administratrix of the estate of William Stannah, deceased, to sell the real estate belonging to said estate in the City and County of San Francisco at public or private sale—and recommend the passage of said substitute

They have also duly considered Assembly Bill No. 234—An Act to provide for the settlement of statements on appeal and on motion to set aside reports of Commissioners in certain cases—and recommend the passage of said bill.

They have also duly considered Assembly Bill No. 119—An Act to provide for the improvement of the rivers and streams in Santa Clara County—respectfully report back a substitute for said bill, and recommend the passage of said substitute

NAPHTALY, Chairman.

Mr. Finney, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No

302—An Act to amend an Act entitled an Act to separate the office of County Recorder from that of County Clerk, in the County of Alameda, and to provide for the election of a County Recorder therein, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 297—An Act to authorize the Treasurer of Tuolumne County to pay certain outstanding warrants against said county

Also, Assembly Bill No. 51—An Act for the relief of the San Francisco Cadets

Also, Assembly Bill No. 121—An Act to amend an Act entitled an Act to protect sheep and lambs in this State

Also, Assembly Bill No. 71—An Act amendatory of and supplementary to an Act entitled an Act to establish a paid Fire Department for the City and County of San Francisco, approved March second, eighteen hundred and sixty-six

FINNEY, for Committee

Mr. Shores made the following report :

MR. SPEAKER: Your committee, to whom was referred Assembly Bill No. 254 have had the same under consideration and report the same back with an amendment, and recommend its passage as amended

SHORES, for Committee

Mr. Sheer from the Committee on Education, made the following report :

MR. SPEAKER: Your Committee on Education to whom was referred Senate Bill No. 51—An Act to establish and define the powers and duties of the Board of Education of the City of Petaluma—having had the same under consideration beg leave to report the bill back with a substitute and recommend the passage of the substitute

Also, Assembly Bill No. 171—An Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Vallejo—report the same back with amendments, and recommend the passage of the bill as amended

SLICER, Chairman

Mr. King, from the Committee on Corporations, made the following report :

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 189—An Act to provide for a street railroad in the City and County of San Francisco—respectfully state that they have had the same under consideration and report it back with amendments.

KING, Chairman.

REPORTS OF SELECT COMMITTEES

Mr. Brown of Amador made the following report.

MR. SPEAKER: Your committee, composed of the delegation from Amador and Alpine, to whom was referred Senate Bill No. 284—An Act

to authorize the Board of Supervisors of the County of Amador to levy an additional tax for county expenditures in said county—have had the same under consideration, report it back and recommend its passage

BROWN (of Amador), for Delegation.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 4th, 1870. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No 65—An Act to amend an Act entitled an Act respecting the Trustees of San Diego, approved April twenty-eighth, eighteen hundred and fifty-two.

Also, Assembly Bill No. 67—An Act confirming certain resolutions and ordinances passed by the President and Trustees of the City of San Diego, in reference to a park and ground for burial purposes.

H. H. HAIGHT,
Governor.

Also, message transmitting report of the Commissioners to manage the Yosemite Valley and Mariposa Big Tree Grove, with accompanying documents

[For message, see Appendix]

MOTIONS AND RESOLUTIONS.

On motion of Mr. Waldron of Placer, the Governor's message and the report of the Commissioners to manage the Yosemite Valley and Mariposa Big Trees were ordered printed.

Mr Duffy offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That our Senators be instructed, and our Representatives in Congress be requested, to use all honorable means in their power to procure amendments to or such modifications as may be necessary, of the existing treaties between the United States and China as will prohibit the farther immigration of any persons into the State of California or any part of the United States, who are held in bondage or under any contract system, whereby the subjects of that country are held, sold or transferred for any illegal or immoral purposes

Adopted, and the usual number of copies ordered printed.

Mr Mooney offered the following resolution :

Resolved, That the House take a recess from four o'clock P. M until half-past seven P. M , each day, until the general file is cleared.

Laid over one day

Mr Horan offered the following resolution :

Resolved, That James Crutcher be and he is hereby appointed Assistant Copying Clerk, at the usual per diem, to be paid out of the Contingent Fund of the Assembly.

Mr. Biggs moved a suspension of the rules to place the resolution on its passage now.

Carried.

Mr. Andrews moved to amend by making the per diem six dollars.

Adopted.

When the resolution was lost, on a division.

Mr. G. R. B. Hayes moved that, substitute for Assembly Bill No. 3, being the special order for Monday, the seventh instant, at half-past one o'clock P. M., be postponed, and be made the special order for half past two o'clock P. M., on Monday.

Agreed to

SENATE MESSAGES

The following messages were received from the Senate :

SENATE CHAMBER,
February 4th, 1870. }

MR. SPEAKER : I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No. 238—An Act to legalize assessments of State and county taxes in the several townships of El Dorado County.

Also, passed Assembly Bill No. 221—An Act for the relief of W. D. Perkins

And, on the second instant, passed Senate Bill No. 215—An Act to define the powers and duties of the Board of Education and of the City Superintendent of Common Schools of the City of Los Angeles.

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
February 4th, 1870. }

MR. SPEAKER : I am directed to inform the Assembly that the Senate, on this day, passed Assembly Bill No. 180—An Act to authorize the Board of Supervisors of Sutter County to issue bonds for road purposes.

CURTIS,
Assistant Secretary.

Senate Bill No. 215, above reported, read first and second times and referred to the Committee on Education.

GENERAL FILE.

Assembly Bill No. 13—An Act to establish and maintain a police force for the protection and regulation of Asiatic and Mongolian residents of this State, and to prevent coolie slavery in California.

Mr. Duffy offered a substitute.

Mr. G. R. B. Hayes moved to refer the bill to the Judiciary Committee, with special instructions to report within one week.

The motion to refer was subsequently withdrawn by leave.

On adopting the substitute offered by Mr. Duffy, the ayes and noes were demanded by Messrs. McMurry of Trinity, G. R. B. Hayes and Naphtaly.

Mr. Finney speaking to the question, when, at half-past twelve o'clock P. M., on motion of Mr. Gildea, the House adjourned to Monday, the seventh instant, at two o'clock and thirty minutes P. M.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, February 7th, 1870. }

House met pursuant to adjournment

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Messrs. Sammons, Hudson and Murphy of Del Norte were granted leave of absence for one day, and Messrs. Calderwood and Oates for two days.

INVITATION.

Mr. Finney presented a communication from Peter Anderson, inviting members to attend a lecture to be delivered by him on the proposed Fifteenth Amendment to the Constitution of the United States.

Received and, on motion of Mr. Satterwhite, the invitation was accepted.

INTRODUCTION OF BILLS.

The following bills were introduced, by consent:

By Mr. Lambert—An Act to repeal an Act entitled an Act authorizing the Board of Supervisors of Plumas County to take and subscribe to the capital stock of the Oroville and Virginia City Railroad Company, and to provide for the payment thereof

Read first and second times and ordered on general file.

By Mr. Henley of Mendocino—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and ordered on general file

By Mr. Carothers—An Act amendatory of an Act entitled an Act to provide for establishing, maintaining and protecting public and private roads in the County of Contra Costa.

Read first and second times and ordered on general file.

Also, an Act to legalize the assessment of taxes in the County of Contra Costa for the fiscal years A. D. eighteen hundred and sixty-six, eighteen hundred and sixty seven, eighteen hundred and sixty-eight and eighteen hundred and sixty-nine.

Read first and second times and ordered on general file.

By Mr. Hihn—An Act concerning estrays and animals found running at large in the County of Santa Cruz.

Read first and second times and ordered on general file.

RESOLUTION.

Mr. Hihn, by leave, offered the following resolution :

Resolved, That the following question be referred to the Committee on the Judiciary, with instructions to report to-morrow :

What officer will be the Tax Collector of taxes on real and personal property in the County of Santa Cruz after the first Monday in March, eighteen hundred and seventy?

Adopted.

SPECIAL ORDER.

Substitute for Assembly Bill No 3—An Act authorizing the laying down of a railroad track in certain streets of the City and County of San Francisco.

Read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Biggs, Kelley and Andrews, and it passed, by the following vote :

AYES—Messrs Appling, Carothers, Coronel, Duffy, Eichelroth, Escandon, Finney, Fryer, Gildea, Green, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Lewelling, Miller of Marin, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, O'Connell, Robinson, Rockwell, Romer, Ryan, Shoemaker, Stephens, Thomas, Thurston, Williams, York and Young—36.

NOES—Messrs Andrews, Berry, Biggs, Brown of Amador, Brown of Yuba, Crigler, Doss, Freeman, Haile, Kelley, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Newell, Odell, Pool, Power, Satterwhite, Scarce, Shores, Slicer, Waldron and Mr Speaker—30.

Title amended.

Mr Finney gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

GENERAL FILE.

Senate Bill No 213—An Act authorizing Bridget Stannah, administratrix of the estate of William Stannah, deceased, to sell the real estate belonging to said estate in the City and County of San Francisco, at public or private sale.

Read a third time and passed ; title approved

Senate Bill No 51—An Act to establish and define the powers and duties of the Board of Education of the City of Petaluma.

Temporarily passed on file.

Subsequently taken up; amended and, on motion of Mr. Williams recommitted to the Committee on Education, with special instructions

Senate Bill No. 284—An Act to authorize the Board of Supervisors of the County of Amador to levy an additional tax for county expenditures in said county.

Read a third time and passed; title approved

Mr. Fryer, by leave, offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That the State Hospital Committee of each house be instructed to visit Los Angeles, and report on the expediency of establishing a State Hospital there

Lost

Senate Bill No. 7—An Act to provide and pay for services rendered to the City and County of San Francisco.

Read a third time and passed.

Assembly Bill No 140—An Act authorizing John N. Dudleston and his assigns to construct and maintain a toll road in Mono County

Ordered engrossed

Assembly Bill No. 13, together with substitute, on motion of Mr Naph-taly, referred to the Judiciary Committee

INTRODUCTION OF BILLS.

Bills were introduced as follows, by consent :

By Mr. G R B. Hayes—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street

Read first and second times and referred to the Judiciary Committee.

By Mr. Griswold—An Act supplementary to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty

Read first and second times and referred to the Judiciary Committee

By Mr McClaskey—An Act entitled an Act to exempt certain real and personal property within the corporate limits of the City of Marysville, in the County of Yuba, from taxation for city purposes

Read first and second times and referred to the Judiciary Committee

By Mr. Johnson—An Act in relation to delinquent taxes in the County of Alpine

Read first and second times and referred to the Alpine and Amador delegation.

By Mr Walden—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six

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

By Mr Doss—An Act providing for the drainage and reclamation of certain lands and for navigation between certain places.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands

By Mr Andrews—An Act entitled an Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, approved April twenty-first, eighteen hundred and fifty-seven.

and the Act amendatory thereof, approved April twenty eighth, eighteen hundred and sixty.

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

REPORT.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report :

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 70—An Act to authorize Assessors to complete duties imperfectly performed

Also, Assembly Bill No. 210—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

MARTIN (of Butte), Chairman

GENERAL FILE RESUMED

Assembly Bill No. 200 withdrawn by the author

Assembly Bill No. 202—An Act to improve the Stanislaus River for rafting logs, lumber, cord wood and fencing material.

Amendments recommended by the committee adopted.

Mr. Williams moved to strike out the enacting clause.

Lost.

Amended and, on motion of Mr. Green, referred to the Committee on Internal Improvements.

Assembly Bill No. 212—An Act to amend section four of an Act entitled an Act to provide for the licensing of auctioneers and to define their duties and liabilities.

Ordered engrossed.

Assembly Bill No 213.

Passed on the file.

At four o'clock and twenty-seven minutes P. M. Mr. Carothers moved to adjourn.

Lost.

Assembly Bill No. 215—An Act to legalize certain conveyances made by Gretta C. Thompson.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
 Tuesday, February 8th, 1870 }

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

QUESTION OF PRIVILEGE.

Mr G. R. B. Hayes rose to a question of privilege in reference to Assembly Bill No. 304—An Act for the relief of Richard Long—stating that he introduced the bill by request and had since satisfied himself that he was misinformed as to the circumstances and objects of the bill, and asked leave to withdraw the bill from the further consideration of the House.

Agreed to.

PETITIONS.

Mr. Fryer presented a petition from citizens of Los Angeles County, in reference to the creation of the new County of Anaheim.

Received and referred to the Committee on Counties and County Boundaries.

Mr. Murphy of Santa Clara presented a petition from citizens of Santa Clara County, in reference to the subject of the following concurrent resolution, which was submitted with the petition :

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives requested, to use their influence to procure the establishment of a daily mail from the City of San José, in the County of Santa Clara, to the Town of Almaden, in the same county.

Resolved, That his Excellency, Governor H. H. Haight, be requested to forward a copy of this resolution to each of our Representatives and Senators in Congress.

Read first and second times and, with the petition, referred to the Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

Mr. Andrews, from the Committee on Mines and Mining Interests, made the following report :

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Concurrent Resolution No. 6—Concerning the mineral lands in this State—have had the same under consideration and report it back with a substitute, and recommend the passage of the substitute.

ANDREWS, Chairman

Mr. Kelley, from the Committee on Agriculture, made the following report :

MR. SPEAKER : Your Committee on Agriculture, to whom was re-referred Senate Bill No. 182—An Act to amend an Act entitled an Act to extend an Act entitled an Act to prevent stallions running at large in the County of Sacramento, approved March twenty-eighth, eighteen hundred and fifty-nine, approved March twenty-eighth, eighteen hundred and sixty—have had the same under consideration and have been unable to find out the object of the reference, and therefore report the bill back without recommendation.

KELLEY, Chairman.

Mr. Eichelroth, from the Committee on State Hospitals, made the following reports :

MR. SPEAKER : Your Committee on State Hospitals, to whom was re-referred Assembly Bill No. 87—An Act supplementary to and amendatory of an Act entitled an Act concerning the Insane Asylum of California and to levy a tax therefor—beg leave to report the same back and recommend its indefinite postponement.

EICHELROTH, Chairman.

MR. SPEAKER : Your Committee on State Hospitals, to whom was referred Assembly Bill No. 239—An Act to promote the study of anatomy—report the same back and recommend its passage as amended

EICHELROTH, Chairman.

MR. SPEAKER : Your Committee on State Hospitals, to whom was referred Assembly Bill No. 159—An Act to protect and encourage the introduction and sale of pure and wholesome milk, and to prohibit and punish the production and sale of unwholesome and adulterated milk—beg leave to report the same back and recommend its passage

EICHELROTH, Chairman.

MR. SPEAKER : Your Committee on State Hospitals, to whom was referred Senate Bill No. 50—An Act to provide for the appointment of a Commissioner to visit the Eastern insane asylums, and to define his powers and duties—report the same back and recommend its indefinite postponement.

EICHELROTH, Chairman.

Mr. Eichelroth, from the Tuolumne delegation, made the following report :

MR. SPEAKER : Your delegation to whom was referred Senate Bill No. 207—An Act for the payment of the salary of the County Judge of Tuolumne County—have had the same under consideration, and report the same back and recommend its passage.

EICHELROTH,
YORK.

Mr. Newell, from the Committee on Engrossment, made the following report :

Mr. SPEAKER : Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 95—An Act to amend an Act concerning the Insane Asylum of California and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 162—An Act to authorize E J. Brickell and his associates and assigns to improve the channel of the Truckee River, from its source to the Town of Truckee, and to erect floodgates therein and collect tolls

Also, Assembly Bill No. 306—An Act concerning the funded debt of San Bernardino County.

Also, Assembly Bill No 171—An Act for the relief of John Cartheche, Deputy Sheriff of El Dorado County.

Also, Assembly Bill No 216—An Act more fully defining the crime of larceny.

Also, Assembly Bill No. 97—An Act relating to the Home of the Inebriate of San Francisco and to prescribe the power and duties of the Board of Managers and officers thereof.

Also, Assembly Bill No. 230—An Act to fix the amount of the official bond of the Sheriff of Calaveras County.

Also, Assembly Bill No 281—An Act granting leave of absence from the State to D. B Spagnoli, County Clerk of Amador County.

Also, Assembly Bill No 176—An Act to authorize the Board of Trustees of the Vallejo School District, in the County of Solano, to borrow money for school purposes

NEWELL, of Committee

Mr. Ryan, from the Committee on Enrolment, made the following report :

Mr. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled substitute for Assembly Bill No. 150—An Act to create the office of a Notary Public in Sonoma County.

Also, Assembly Bill No. 238—An Act to legalize assessments of State and county taxes in the several townships of El Dorado County.

Also, Assembly Bill No. 221—An Act for the relief of W. D Perkins.

Also, Assembly Bill No 180—An Act to authorize the Board of Supervisors of Sutter County to issue bonds for road purposes.

And this day, at four o'clock, presented the same to the Governor for his approval.

RYAN, Chairman

REPORTS OF SELECT COMMITTEES

Mr. Thomas presented the following report :

Mr. SPEAKER : Your committee, to whom was referred Assembly Bill No. 183—An Act for the improvement of the American River and its branches, and to regulate the floating of timbers therein—have had the same under consideration, and report the same back without recommendation

Also, Assembly Bill No. 117—An Act to prevent the loss of floating timbers—have had the same under consideration, and report the same back without recommendation

THOMAS, Chairman.

On motion of Mr King, the above reported bills were referred to the Committee on Commerce and Navigation.

Mr Finney, in accordance with previous notice, moved to reconsider the vote by which substitute for Assembly Bill No 3 passed on yesterday.

Mr. Martin of Butte moved to postpone the motion, and to make the same the special order at three o'clock this afternoon

Mr. Gildea moved to amend the motion, and to fix the time at half-past one o'clock P. M.

Lost, on a division.

Mr Gildea moved to postpone the general file (special order) until the motion was disposed of.

On which the ayes and noes were demanded by Messrs. Murphy of Santa Clara, Green and Ryan, and the House refused, by the following vote :

AYES—Messrs Carothers, Coronel, Crigler, Duffy, Escandon, Gildea, Green, Griswold, Haile, G. R. B Hayes, M Hayes, Horan, Hubner, Johnson, Kelley, King, Merritt, Miller of El Dorado, Miller of Marin, Murphy of Santa Clara, Naphtaly, O'Connell, Robinson, Rockwell, Ryan, Shores, Stephens, Thomas, Walden, Williams and York—31.

NOES—Messrs. Andrews, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, De Haven, Doss, Finney, Fortune, Freeman, Fryer, Hawley, Henley of Mendocino, Henley of Sonoma, Hudson, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurphy of Trinity, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Newell, Odell, Pool, Power, Sammons, Satterwhite, Scarce, Slicer, Thurston, Waldron and Mr. Speaker—39

Mr. G. R. B Hayes moved to suspend the rules, to make the motion the special order for three o'clock P. M

Lost.

REPORTS OF SELECT COMMITTEES CONTINUED.

Mr. Fortune, from the San Francisco delegation, made the following report :

MR SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No 244—An Act authorizing the Board of Supervisors of the City and County of San Francisco to provide plans for a proper system of grades and sewers—have had the same under consideration, and hereby report it back and recommend its passage.

FORTUNE, for Delegation.

Mr. Johnson made the following report :

MR. SPEAKER: The delegation from Alpine and Amador, to whom was referred Assembly Bill No 332—An Act in relation to delinquent taxes

in the County of Alpine—have had the same under consideration, and report it back and recommend its passage.

JOHNSON, for Delegation

Mr. Gildea (by leave) offered a resolution, that the order making the general file the special order for eleven o'clock A. M. each day be rescinded, and moved a suspension of the rules to consider the resolution now.

Lost.

Laid over one day.

SPECIAL ORDER

At eleven o'clock A. M. the House proceeded to consider bills on the general file.

Assembly Bill No. 255—An Act to amend an Act entitled an Act to provide for the erection of county buildings in the County of Lake, and other matters in relation thereto, approved March twenty-fourth, eighteen hundred and sixty-eight

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 148—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 151—An Act empowering the Board of Education of the City and County of San Francisco to pay the claim of W. Craine.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr Martin of Butte, Chairman of the Engrossing Committee, asked and obtained unanimous leave of the House to order substitute for Assembly Bill No. 3 re-engrossed, in order to correct an error made by misplacing the sheets when the bill was first engrossed

On motion of Mr. Ryan, the bill was ordered printed

Assembly Bill No. 262—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations by said Board.

Bill amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 280—An Act to authorize the incorporation of yacht clubs.

Bill amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 269 withdrawn by its author.

On motion of Mr. Henley of Mendocino, the following bill was taken up out of its order on the file:

Assembly Bill No. 323—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March twenty-eighth, eighteen hundred and sixty-eight.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Fortune moved to suspend the rules to take up out of its order on the file Assembly Bill No. 189.

Lost.

Assembly Bill No 296.

Passed on file and ordered printed.

Assembly Bill No 263.

Passed on file

On motion of Mr De Haven, Assembly Bill No 240, and the substitute for the bill, was referred to the Committee on Commerce and Navigation.

Assembly Bill No 193—An Act to provide for the selection and condemnation of a site for a City and County Hospital for the City and County of Sacramento

Mr Horan moved to refer the bill to the Hospital Committee.

On which the ayes and noes were demanded by Messrs Stephens, Freeman and Berry, and the motion prevailed, by the following vote :

AYES—Messrs. Appling, Brown of Yuba, Carothers, De Haven, Doss, Duffy, Eichelroth, Finney, Fryer, Gildea, Green, Henley of Sonoma, Horan, Hubner, Johnson, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, Merritt, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Newell, O'Connell, Pool, Power, Robinson, Rockwell, Sammons, Satterwhite, Shores, Waldron, Williams, York and Young—38.

NOES—Messrs Andrews, Berry, Biggs, Blankenship, Brown of Amador, Coronel, Crigler, Freeman, Haile, Henley of Mendocino, Hihn, Kelley, Lambert, McMurry of Trinity, Miller of El Dorado, Mooney, Odell, Scarce, Shoemaker, Stephens, Thomas and Thurston—22

REPORT

Mr Naphtaly, from the Judiciary Committee, by leave, made the following report :

MR SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No 257—An Act to amend an Act entitled an Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty—respectfully report that they have had the said bill under consideration and report the same back and recommend the passage of the bill

They have also considered Assembly Bill No. 311—An Act to amend an Act concerning Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-seven—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 284—An Act to amend section twenty-eight of an Act to regulate proceedings in civil cases in the Courts of justice of this State—and respectfully report the same back and recommend that the bill be indefinitely postponed.

NAPHTALY, Chairman.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled
 Speaker in the chair
 Roll called.
 Quorum present

RESOLUTIONS

Mr. Munday, by leave, offered the following resolution :

Resolved, That the Special Committee on the location on the State Normal School are hereby authorized to visit the Town of Petaluma, with reference to the location of said school

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

Mr. McMurry of Trinity moved that Senate Concurrent Resolution No. 6 and the Assembly substitute be printed.

Carried.

INTRODUCTION OF BILLS

Bills were introduced, by consent, as follows :

By Mr. Henley of Mendocino—An Act to amend an Act concerning corporations, passed April twenty-second eighteen hundred and fifty

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

By Mr. Haile—An Act for the appointment of two additional Notaries Public in the County of Solano

Read first and second times and ordered on the general file.

GENERAL FILE RESUMED

Assembly Bill No. 267—An Act to authorize W. W. Fowler, George J. Hooper, and their associates and assigns, to lay down gas pipes in the City of San Diego.

Passed on the file. Subsequently taken up, amendment adopted and ordered engrossed.

Assembly Bill No. 317—An Act to authorize the Board of Supervisors of the County of Sutter to enter upon, condemn and take possession of a certain tract of land in said county to be used as a public graveyard.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 217—An Act to provide for the improvement of the navigation of the Russian River and to declare said stream navigable

Amendment adopted

Passed on the file.

Assembly Bill No. 319—An Act to cede certain property to the Town of Crescent City.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

SPECIAL ORDER.

Assembly Bill No. 41—An Act to create a Bank Commissioner, to prescribe his duties and powers.

On motion of Naphtaly the printed bill was substituted for the original bill.

Mr. Murphy of Santa Clara offered an amendment to section two, to strike out in line two the words "to make an examination," and insert "shall demand a sworn statement," and at the end of section two add: "*Provided*, that whenever three responsible freeholders, residents of the county wherein such bank is situated, shall make oath that an exhibit of the books of said bank is necessary to the proper performance of the duties of such Commissioner, he shall demand an exhibit of the books of said bank, which shall be furnished him on the penalties provided in this section."

Mr. Rockwell offered an amendment

Lost

Mr. Carothers moved to strike out section two of the bill.

Lost

On the amendment offered by Mr. Murphy of Santa Clara, the ayes and noes were demanded by Messrs. Naphtaly, Duffy and Finney, and the House refused to adopt the amendment, by the following vote:

AYES—Messrs. Berry, Brown of Amador, Carothers, Duffy, Finney, Gildea, Green, G. R. B. Hayes, M. Hayes, Hibn, Horan, Hubner, Johnson, Lewelling, McClaskey, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphtaly, Rockwell, Ryan, Shoemaker, Waldron, Williams, York and Young—27.

NOES—Messrs. Andrews, Appling, Biggs, Blankenship, Brown of Yuba, Colonel, Crigler, De Haven, Doss, Eichelroth, Escandon, Fortune, Freeman, Fryer, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Hudson, Inman, Kelley, King, Lambert, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of Trinity, Merritt, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Oates, Odell, Pool, Romer, Satterwhite, Scarce, Shores, Stephens and Walden—41

Mr. Gildea offered an amendment

Lost, on a division

Mr. Naphtaly offered an amendment as follows: In section three strike out from "or," in line two, to and including "State," in line three

On which the ayes and noes were demanded by Messrs. Naphtaly, M. Hayes and Duffy, and the House refused to adopt the amendment, by the following vote:

AYES—Messrs. Brown of Amador, Carothers, De Haven, Duffy, Fortune, Gildea, Griswold, G. R. B. Hayes, M. Hayes, Hibn, Horan, Hubner, Johnson, Lewelling, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphtaly, O'Connell, Romer, Ryan, Shores, Waldron and Williams—24

NOES—Messrs. Andrews, Appling, Biggs, Blankenship, Brown of Yuba, Colonel, Crigler, Doss, Eichelroth, Escandon, Finney, Freeman, Fryer, Green, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Hudson, Kelley, King, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Oates, Odell, Pool, Robinson, Sammons, Satterwhite, Scarce, Shoemaker, Sheer, Stephens, Walden, York, Young and Mr. Speaker—48.

Mr. Henley of Sonoma offered an amendment to section three.

Adopted

Mr. Naphtaly offered an amendment to section three

Pending the consideration of which, at four o'clock and thirty minutes p. m., on motion of Mr. Duffy, the House adjourned

GEO. H. ROGERS.
Speaker.

ROBT. FERRAL, Chief Clerk

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, February 9th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

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

PETITION.

Mr. Carothers presented a petition from citizens of Contra Costa County, praying for the repeal of the fence law.

Received and referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Mr. Lambert, from the Committee on Ways and Means, made the following report :

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No 314—An Act to regulate the time for commencing assessments in Kern County—have had the same under consideration, and report the bill back to the Assembly without recommendation, with the following amendment, viz: Strike out section two and insert in lieu thereof section three

They have also considered Assembly Bill No. 312—An Act to amend section thirty-six of an Act entitled an Act to provide revenue for the support of the Government of this State, passed February twenty-fifth, eighteen hundred and fifty—and report the same back to the Assembly, and recommend that it be referred to the Judiciary Committee.

LAMBERT, Chairman.

Mr. Naphtaly, from the Judiciary Committee, made the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 303—An Act to amend an Act entitled an Act to reg-

ulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof—respectfully report that they have had said bill under consideration and report the same back with a substitute, and recommend the passage of the substitute.

They have also considered Assembly Bill No. 146—An Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one—and respectfully report the same back and recommend the passage of the original bill, without amendment.

They have also considered Assembly Bill No. 286—An Act to amend an Act entitled an Act concerning attorneys and counsellors at law, approved February nineteenth, eighteen hundred and fifty-one—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 168—An Act to amend an Act entitled an Act to exempt the homestead and other property from forced sale in certain cases, approved April twenty-first, eighteen hundred and fifty-one—and respectfully report the same back and recommend the passage of the bill

NAPHTALY, Chairman.

Mr. Rockwell, Chairman of the Committee on Commerce and Navigation, submitted a supplementary report for the majority of said committee, in reference to Assembly Bill No. 68; said report setting forth facts and reasons why said bill should pass.

[For report, see Appendix.]

REPORTS OF SELECT COMMITTEES.

Mr. King, from the Placer and Nevada delegations, made the following report :

MR. SPEAKER: The Placer and Nevada delegations, to whom was referred Assembly Bill No. 273—An Act to authorize the construction of a turnpike road from the Town of Truckee, in Nevada County, to the Hot Springs, on the State line, at the northeasterly end of Lake Bigler, in Placer County—have considered the same and report the bill back with amendment to section three; to strike out all after the word “as,” in the eighth line of said section, and insert “the Board of Supervisors of Placer County may fix and regulate from year to year.”

KING, for Delegation.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 8th, 1870.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No 142—An Act authorizing the Board of Supervisors of Mono County to levy a special tax for a Contingent Fund.

Also, Assembly Bill No. 221—An Act for the relief of W. Dana Perkins.

Also, Assembly Bill No. 238—An Act to legalize assessments of State and county taxes in the several townships of El Dorado County.

Also, substitute for Assembly Bill No. 150—An Act to create the office of a Notary Public in Sonoma County.

H. H. HAIGHT,
Governor

MOTIONS AND RESOLUTIONS.

The following resolution, offered by Mr Gildea, on yesterday, was taken up :

Resolved, That the order making the general file the special order for eleven o'clock A. M. each day be rescinded.

Adopted.

Mr. Ryan offered the following :

Resolved, That the motion to reconsider the vote on substitute for Assembly Bill No. 3 be made the special order for Thursday, February tenth, at half-past one o'clock P. M.

Adopted.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER,
February 8th, 1870. }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, amended and passed Assembly Bill No. 43—An Act to grant the right to construct and maintain a bridge and ferry across Russian River, and to open a public highway thereto

And, on yesterday, passed Assembly Bill No. 191—An Act for the relief of John W. Ball.

Also, Senate Bill No. 79—An Act for the regulation of sailor boarding houses and shipping offices in the City and County of San Francisco

Also, Assembly Bill No. 147—An Act to authorize Morton Bourn to construct and maintain a wharf and chute at Bourn's Landing, on the Pacific Ocean, in Mendocino County.

Also, Assembly Bill No. 118—An Act to authorize Lew Gerlock and his associates and assigns to construct and maintain a chute and moorings at Scott's Landing, on the Pacific Ocean, in Mendocino County

Also, Assembly Bill No. 123—An Act for the relief of James S. Houseman

Also, Assembly Bill No. 102—An Act to create a Bridge Fund in the County of Placer, and to authorize the levy of a tax therefor

Also, Assembly Bill No. 226—An Act to legalize the name of Lake Bigler.

Also, Assembly Bill No. 61—An Act to amend an Act concerning crimes and punishments

CURTIS,
Assistant Secretary

SENATE CHAMBER,
February 7th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on Saturday last, adopted Assembly Concurrent Resolution No 28—Directing the Committees on Education of the Senate and Assembly to visit the State University, State Normal School, Deaf, Dumb and Blind Asylum, and other institutions receiving State aid

Also, on Saturday, passed Senate Bill No. 91—An Act ratifying and confirming action of Common Council of the City of Oakland for relief of John Scott

Also, passed Assembly Bill No 302—An Act to amend an Act entitled an Act to separate the office of County Recorder from the office of County Clerk in the County of Alameda, and to provide for the election of a County Recorder therein.

Also, passed Assembly Bill No 297—An Act to authorize the Treasurer of Tuolumne County to pay certain outstanding warrants against said county.

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
February 8th, 1870 }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Assembly Bill No. 86—An Act to construct and maintain a wharf in San Luis Obispo County.

Also, passed Assembly Bill No 34—An Act concerning public roads and highways in the County of Monterey.

Also, passed Senate Bill No. 133—An Act to authorize Elizabeth W. P. Kenny, administratrix of the estate of George Kenny, deceased, to sell certain lands of said estate.

Also, passed Senate Bill No. 168—An Act directing the Controller of State to draw a certain duplicate warrant.

Also, passed Senate Bill No 152—An Act amendatory of an Act entitled an Act to regulate proceedings in civil cases

Also, passed Senate Bill No. 166—An Act to confer additional powers upon the Board of Supervisors and the Auditor and Treasurer of the City and County of San Francisco.

Also, amended and passed Assembly Bill No. 77—An Act to encourage the destruction of squirrels and gophers in certain counties of this State and to provide for a bounty for the same

Also, passed Assembly Bill No 28—An Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim of P W Van Winkle

Also, amended and passed Assembly Bill No. 155—An Act to amend an Act to separate the office of County Recorder from that of County Clerk in the County of Alameda

Also, amended and passed Assembly Bill No 188—An Act granting leave of absence to Richard G. Watkins, District Attorney of Mono County.

Also, amended and passed Assembly Bill No. 190—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Trinity County to levy a special tax.

Also, passed Assembly Bill No 38—An Act for a preliminary survey of the harbor of Santa Cruz and Salinas Slough, in Monterey Bay

Also, passed Assembly Bill No 43—An Act to provide for the payment of the salary of the County Judge of Inyo County

Also, passed Senate Bill No. 151—An Act to authorize the guardians of James T Boyd, Jr., and Willie Alexander Boyd, to sell certain real estate

Also, passed Senate Bill No 94—An Act to authorize the formation of special partnerships

Also, passed Senate Bill No. 142— An Act to amend an Act entitled an Act to regulate proceedings in civil cases

Also, passed Assembly Bill No 170—An Act to authorize the Governor of the State of California to appoint three additional Notaries Public for the County of Santa Clara.

And this day adopted the following Senate concurrent resolution :

Resolved by the Senate, the Assembly concurring. That the special committees on the location of the State Normal School be and they are hereby authorized to make a joint report

CURTIS,
Assistant Secretary.

SENATE CHAMBER. }
February 8th, 1870 }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on this day, adopted Senate Concurrent Resolution No 25—Relative to correcting error in enrolled copy of Senate substitute No. 229 for Assembly Bill No. 2 and Senate Bill No. 95.

CURTIS,
Assistant Secretary

CONSIDERATION OF SENATE MESSAGES

Assembly Bill No 43, above reported, Senate amendments concurred in

Assembly Bill No 155, above reported, Senate amendments concurred in

Assembly Bill No 188, above reported, Senate amendments concurred in

Assembly Bill No 190, above reported, Senate amendments concurred in.

Assembly Bill No 61, above reported, Senate amendments concurred in

Senate Bill No. 133, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 152, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No 151, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No 94, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No 142, above reported, read first and second times and referred to the Judiciary Committee

Assembly Bill No 77, above reported, the House refused to concur in the Senate amendments to sections one and three of the bill.

Senate Bill No. 91, above reported, read first and second times and referred to the Alameda delegation.

Senate concurrent resolution, above reported, concurred in

Senate Bill No. 168, above reported, read first and second times and referred to the Committee on Claims

Senate Bill No. 166, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 79, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Senate Concurrent Resolution No. 25, above reported, concurred in

NOTICES.

Notices of the introduction of bills were given as follows:

By Mr. McMillan—An Act to change the grade of Broadway street, from Powell to Franklin street, in the City and County of San Francisco.

Also, an Act to modify the grades on what is known as Telegraph Hill, in the City and County of San Francisco

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Murphy of Del Norte—An Act to provide for the erection of a jail in the County of Del Norte.

Read first and second times and ordered on the general file.

By Mr. Munday—An Act to legalize the acts and proceedings of the Mayor and Common Council of the City of Sonoma

Read first and second times and referred to the Committee on Public Lands.

By Mr. Hihn—An Act authorizing the Board of Supervisors of San Mateo County to appropriate certain moneys for the relief of Charles H. Lincoln.

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

By Mr. Carothers—An Act to create a Board of Levee and Street Trustees in and for the Town of Pacheco, Contra Costa County, and define their powers and duties.

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

By Mr. Lewelling—An Act for the preservation of trout in the Counties of Santa Clara, Santa Cruz, San Mateo, Monterey, Alameda, Marin, Sonoma, Placer and Nevada.

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

By Mr. Henley of Mendocino—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved March thirtieth, eighteen hundred and sixty-eight.

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

By Mr. Brown of Amador—An Act authorizing the Board of Supervisors of Amador County to audit and allow the claim of James Carroll.

Read first and second times and ordered on the general file.

By Mr. Mooney—An Act to improve Owens River for rafting logs, lumber and cordwood.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. De Haven—An Act to provide for the manner of auditing claims against Humboldt County, and to provide for the reduction of taxation therein and expenses thereof.

Read first and second times and referred to the Judiciary Committee.

By Mr. Robinson—An Act to authorize the San Diego and Gila Southern Pacific Railroad Company and its assigns to construct, maintain and use a wharf or wharves in front of pueblo lots numbers eleven hundred and sixty-three and eleven hundred and sixty-four, at South San Diego, in the County of San Diego

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

Also, an Act to grant further powers to the Board of Trustees of the City of San Diego, and establish the boundaries of said city

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

By Mr. Lewelling (by request)—An Act to provide for the building of a bridge and roadway across the Estuary of San Antonio, in the County of Alameda.

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

By Mr. Naphtaly (by request)—An Act to ratify and confirm ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco, and proceedings had thereunder

Read first and second times and referred to the Judiciary Committee

By Mr. Brown of Amador—An Act for the collection of taxes in the County of Amador.

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

By Mr. Rogers—An Act authorizing the condemnation of private property within the limits of the public streets of the City and County of San Francisco, within the Laguna survey.

Read first and second times and, with petition accompanying the bill, referred to the San Francisco delegation.

GENERAL FILE.

Senate Bill No 182—An Act to amend an Act entitled an Act to extend an Act entitled an Act to prevent stallions from running at large in the County of Sacramento.

Amended

Read a third time and passed; title approved

Senate Bill No. 50—An Act to provide for the appointment of a Commissioner to visit the Eastern insane asylums and to define his powers and duties.

On motion of Mr. Thomas, made the special order for Monday, the fourteenth instant, at two o'clock p. m

Senate Bill No. 207—An Act for the payment of the salary of the County Judge of Tuolumne County.

Read a third time and passed; title approved.

Senate Concurrent Resolution No. 6—Relative to mineral lands

Passed, temporarily, on the file

Assembly Bill No 41—An Act to create a Bank Commissioner, to prescribe his duties and powers.

The question being on the amendment to the bill offered by Mr. Naphtaly on yesterday.

Mr Henley of Sonoma offered an amendment to the amendment.

Adopted, and amendment as amended adopted

Mr Duffy offered an amendment

Lost

Mr Naphtaly offered the following amendment: In section seven, line one, strike out all after the word "Commissioner," to and including the word "he," in second line.

On which the ayes and noes were demanded by Messrs Naphtaly, Fortune and Moynihan, and the amendment was rejected, by the following vote:

AYES—Messrs Andrews, Berry, Biggs, Brown of Yuba, Carothers, De Haven, Duffy, Fortune, Gildea, M Hayes, Hihn, Hubner, Johnson, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Naphtaly, Oates, O'Connell, Power, Ryan, Scarce, Shoemaker, Shores, Waldron, Williams and York—32

NOES—Messrs. Appling, Blankenship, Coronel, Crigler, Doss, Escandon, Freeman, Fryer, Green, Griswold, Haile, Hawley, G. R. B Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Inman, King, Koutz, Lambert, Martin of Butte, Merritt, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Odell, Pool, Sammons, Satterwhite, Stephens, Walden, Young and Mr. Speaker—35.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair

Roll called

Quorum present.

GENERAL FILE RESUMED.

Assembly Bill No 41 continued

Mr Hihn offered a substitute for the bill, and moved that the substitute be printed, and the whole matter be made the special order for Friday, at two o'clock P. M.

Two o'clock P. M. being the hour to consider special order—Assembly Bill No 68.

On motion of Mr. Lambert, the special order was postponed, to dispose of the bill now under consideration.

Mr. Satterwhite moved the previous question

On which the ayes and noes were demanded by Messrs Naphtaly, Ryan and Koutz, and the main question ordered, by the following vote:

AYES—Messrs. Appling, Blankenship, Brown of Amador, Brown of Yuba, Coronel, Freeman, Fryer, Green, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Inman, Johnson, King, Lambert, McMurry of El Dorado, Merritt, Miller of El Dorado, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Odell, Pool, Rockwell, Romer, Satterwhite, Shoemaker, Shores, Stephens, Thurston, Walden, Williams, Young and Mr. Speaker—41.

NOES—Messrs. Andrews, Berry, Biggs, Carothers, Crigler, De Haven, Doss, Duffy, Eichelroth, Finney, Fortune, Gildea, G. R. B. Hayes, M. Hayes, Kelley, Koutz, Lewelling, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Miller of Marin, Moynihan, Naphtaly, Oates, O'Connell, Power, Ryan, Sammons, Scarce, Slicer, Thomas, Waldron and York—34.

On the motion of Mr. Hihn, the ayes and noes were demanded by Messrs. Hihn, Shoemaker and Duffy, and the House refused, by the following vote :

AYES—Messrs. Andrews, Berry, Calderwood, Carothers, De Haven, Duffy, Eichelroth, Finney, Fortune, Gildea, G. R. B. Hayes, M. Hayes, Hihn, Hubner, Johnson, Koutz, Lewelling, McMillan, McMurry of El Dorado, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Power, Rockwell, Ryan, Sammons, Shoemaker, Slicer, Thomas, Waldron and York—34

NOES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Coronel, Crigler, Doss, Freeman, Fryer, Green, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Inman, Kelley, King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Odell, Pool, Romer, Satterwhite, Scarce, Shores, Stephens, Thurston, Walden, Williams, Young and Mr. Speaker—44.

The question being on the substitute, the House refused to adopt the substitute, on a division—ayes, 24 ; noes, 42

On the engrossment of the bill, the ayes and noes were demanded by Messrs. Naphtaly, Henley of Sonoma and Duffy, and it was ordered engrossed, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Coronel, Crigler, De Haven, Doss, Freeman, Fryer, Gildea, Green, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Johnson, Kelley, King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Newell, Odell, Pool, Romer, Sammons, Satterwhite, Scarce, Shores, Slicer, Stephens, Thomas, Thurston, Walden, Williams, Young and Mr. Speaker—57

NOES—Messrs. Calderwood, Carothers, Duffy, Eichelroth, Finney, Fortune, M. Hayes, Hihn, Inman, Koutz, Lewelling, Naphtaly, Oates, O'Connell, Power, Rockwell, Ryan, Shoemaker, Waldron and York—20

The Committee on Fees and Salaries were granted leave of absence to attend to committee duty, and Mr. Finney for the remainder of the day.

REPORTS

Mr. Martin of Siskiyou, from the Committee on Enrolment, made the following report :

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No 28—

An Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim of P. W. Van Winkle.

Also, Assembly Bill No. 86—An Act to authorize the construction and maintenance of a wharf in San Luis Obispo County.

Also, Assembly Bill No. 102—An Act to create a Bridge Fund in the County of Placer, and to authorize the levy of a tax therefor

Also, Assembly Bill No. 118—An Act to authorize Lew Gerlock and his associates and assigns to construct and maintain a chute and moorings at Scott's Landing, on the Pacific Ocean, in Mendocino County, and collect tolls for the use thereof

Also, Assembly Bill No. 123—An Act for the relief of James S Houseman.

Also, Assembly Bill No. 147—An Act to authorize Morton Bourn to construct and maintain a wharf and chute at Bourn's Landing, on the Pacific Ocean, in Mendocino County.

Also, Assembly Bill No. 191—An Act for the relief of John W. Ball.

Also, Assembly Bill No. 226—An Act to legalize the name of Lake Bigler.

Also, Assembly Bill No. 297—An Act to authorize the Treasurer of Tuolumne County to pay certain outstanding warrants against said county

Also, Assembly Bill No. 302—An Act to amend an Act entitled an Act to separate the office of County Recorder from that of County Clerk in the County of Alameda, and to provide for the election of a County Recorder therein, approved March thirtieth, eighteen hundred and sixty-eight.

And this day, at two o'clock P. M., presented the same to the Governor for his approval.

MARTIN (of Siskiyou), for Committee.

Mr. G. R. B. Hayes, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 148—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof

Also, Assembly Bill No. 323—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March twenty-eighth, eighteen hundred and sixty-eight

Also, Assembly Bill No. 215—An Act to legalize certain conveyances made by Gretta C. Thompson

Also, Assembly Bill No. 262—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and authorize certain appropriations by said Board

Also, Assembly Bill No. 143—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April nineteenth, eighteen hundred and fifty-one

Also, Assembly Bill No. 151—An Act empowering the Board of Education of the City and County of San Francisco to pay the claim of William Craine

Also, Assembly Bill No. 109—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco

Also, substitute for Assembly Bill No. 81—An Act to confirm a certain order passed by the Board of Supervisors of the City and County of San Francisco, and to authorize said Board to appropriate money for certain purposes.

Also, Assembly Bill No. 280—An Act to authorize the incorporation of yacht clubs.

G. R. B. HAYES, of Committee

Mr King, by consent, introduced the following bill—An Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three

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

SPECIAL ORDER.

The special order for two o'clock p. m., Assembly Bill No. 68—An Act donating to the San Francisco and North Pacific Railroad Company certain salt marsh and tide lands in the Counties of Marin and San Francisco—was now taken up

Mr. Rockwell offered an amendment to the amendment recommended by the committee.

Adopted.

Mr. Moynihan offered an amendment to the amendment.

Mr. Ryan offered the following resolution :

Resolved, That the bill be recommitted, and that the committee be instructed to furnish, for the information of this House, one hundred and fifty copies of the map showing the location of the land described in the bill and the line of the proposed road, and that said maps have a scale of four inches to the mile.

Mr. Thomas moved to amend the resolution by inserting "to procure the maps from the Surveyor-General's office."

Accepted.

Mr. Inman moved to amend by adding, "at the expense of the parties applying for said grant."

Mr. Murphy of Santa Clara moved to lay the bill temporarily on the table.

Mr. Haile moved to amend, by laying the resolution and bill on the table until Friday, at two o'clock p. m.

Lost, on a division

Mr. Martin of Butte moved to lay the resolution on the table, which motion prevailed, on a division, and the Speaker declared the whole subject carried to the table

At three o'clock and forty-five minutes p. m., on motion of Mr. Biggs, the House adjourned.

GEO. H. ROGERS,
Speaker

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
 Thursday, February 10th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present

Prayer by the Chaplain.

Journal of yesterday read and approved

Indefinite leave of absence was granted to Mr. Duffy, on account of sickness; and the Committee on Hospitals had leave of absence granted them for one day, and Messrs. Rockwell and Hihn for one day

PETITION.

Mr. Naphtaly presented a remonstrance and protest of citizens of San Francisco, against the passage of Assembly Bill No. 154—To ratify and confirm all orders and ordinances of the Board of Supervisors in reference to street improvements and all assessments of the Superintendent of Streets

Remonstrance received and, on motion of Mr. Naphtaly, the protest and bill were referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Mr. Thomas presented a minority report of the Hospital Committee on Senate Bill No. 50, recommending the passage of the bill.

On motion of Mr. Thomas, the majority and minority reports, together with the bill, were ordered printed

Mr. King, from the Committee on Corporations, made the following report:

Mr SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 135—An Act to authorize Morris Wolff, Lewis Jacobs and John Ruffin, and their assigns, owners of an artesian well in the Town of San Bernardino, to lay down water pipes in the public streets of said town—have had the same under consideration and report it back and recommend its passage.

Also, Assembly Bill No. 291—An Act amendatory of and supplementary to an Act to incorporate the City of Nevada—and recommend its passage.

Also, Assembly Bill No. 292—An Act to authorize the City of Benicia to refund the debt of said city—report back and recommend its passage.

Also, Assembly Bill No. 320—An Act to provide for the building of a bridge across Putah Creek, in Napa County, and to authorize the Supervisors of Napa County to levy a special tax for that purpose—report the same back and recommend its passage

Also, Assembly Bill No. 91—An Act to legalize the order of the Board of Supervisors of Monterey County incorporating the Town of San Juan—which we report with substitute, recommending its passage.

KING, Chairman.

Mr. Pool, from the Committee on Claims, made the following report :

MR SPEAKER: Your committee, to whom was referred Senate Bill No. 168—An Act directing the Controller of State to draw a certain duplicate warrant—having had the same under consideration, respectfully report the same back and recommend that the bill pass

HORAN, Chairman

Mr. Eichelroth, from the Committee on State Hospitals, made the following report:

MR SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No 285—An Act for the support and maintenance of the non-resident and indigent sick of Los Angeles County—beg leave to report the same back and recommend its passage. But inasmuch as said bill provides for an appropriation, recommend also to have it referred to the Committee on Ways and Means.

EICHELROTH, Chairman

Mr. Brown of Amador moved the reference of the above reported bill as recommended

So ordered

MOTIONS AND RESOLUTIONS

Mr. Finney offered the following resolution :

Resolved, That the Santa Cruz delegation, to whom was referred Senate Bill No. 228, be and is hereby requested to report the same back to this House immediately for its consideration.

Adopted.

Mr G R B. Hayes asked and obtained leave to withdraw from the consideration of the House, Assembly Bill No 327

Mr. Munday offered the following resolution :

Resolved, That the Committee on the Judiciary be and is hereby instructed to introduce a bill, at an early day, to repeal the law known as the registry law.

Mr Haile offered a substitute, as follows :

Resolved, That the Judiciary Committee be requested to report, at an early day, on the bill before them on the registry law.

Substitute adopted and resolution, as amended, agreed to.

Mr. Satterwhite offered the following resolution :

Resolved, That the Hospital Committee of this House inquire into and report upon the expediency of establishing a State Hospital at Los Angeles.

Adopted.

Mr. Carothers was granted leave to withdraw from the Judiciary Committee a certain remonstrance and petition referred to them, in ref-

erence to the appointment of a third Justice of the Peace in the Town of Antioch, Contra Costa County

Mr Crigler offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives requested, to use all honorable means in their power to procure the establishment of a tri-weekly mail from the Town of Calistoga, in Napa County, to the Town of Kelsey, in Lake County, California, by the way of Guenoc and Lower Lake, in said County of Lake

Resolved, That his Excellency the Governor be requested to forward a copy of the above resolution to each of our Senators and Representatives in Congress

Read first and second times and referred to the Committee on Federal Relations.

REPORTS.

Mr. Hihn, from the Santa Cruz delegation, by leave made the following report:

MR SPEAKER: The Santa Cruz delegation, to whom was referred Senate Bill No 228, respectfully report the same back and recommend that said bill do not pass, for the following reasons: 1st. There is nothing due to San Mateo County from Santa Cruz County; 2d. The alleged claim of San Mateo County has been adjudicated by the proper Courts

HIHN, for Delegation.

On motion of Mr Finney, the above reported bill was referred to the Committee on Education

Mr McClaskey made the following report :

MR. SPEAKER: Your committee to whom was reported Assembly Bill No 237—An Act legalizing the assessment and levy of taxes for reclamation purposes in Swamp Land District Number Seventy-seven, in the County of Colusa—have had the same under consideration, and report the same back, with a substitute, and recommend the passage of the substitute

McCLASKEY, Chairman

Mr. Martin of Butte, from the Committee on Engrossment, made the following report :

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 211—An Act amendatory and supplementary to an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three, and the Acts amendatory of and supplementary thereto

Also, Assembly Bill No 317—An Act to authorize the Board of Supervisors of the County of Sutter to enter upon, condemn and take possession of a certain tract of land in said county, to be used as a graveyard.

Also, Assembly Bill No 319—An Act to amend an Act to cede certain property to the Town of Crescent City.

Also, Assembly Bill No. 255—An Act to amend an Act entitled an Act to provide for the erection of county buildings in the County of Lake, and other matters in relation thereto, approved March twenty-fourth, A. D. eighteen hundred and sixty-eight

Also, Assembly Bill No. 252—An Act concerning roads and highways in San Bernardino County

Also, substitute for Assembly Bill No. 127—An Act to incorporate the San Buenaventura Water Company.

Also, Assembly Bill No. 140—An Act authorizing John W. Dudleston and his assigns to construct and maintain a toll road in Mono County.

Also, Assembly Bill No. 267—To authorize W. W. Fowler, George F. Hooper, and their associates and assigns, to lay down gas pipes in the City of San Diego

Also, Assembly Bill No. 253—An Act to authorize the Board of Supervisors of Sonoma County to transfer certain money from the General Fund to the Road Fund

Also, Assembly Bill No. 20—An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library and to secure the use of the same to the Courts held at San Francisco, the bar, the city and county government and the people of the City and County of San Francisco.

Also, Assembly Bill No. 212—An Act to amend section four of an Act entitled an Act to provide for the licensing of auctioneers and to define their duties and liabilities, approved April eighteenth, eighteen hundred and fifty-nine.

MARTIN (of Butte), Chairman.

SENATE MESSAGES

The following messages were received from the Senate :

SENATE CHAMBER,
February 9th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, passed Senate Bill No. 104—An Act to amend an Act entitled an Act to provide for street railroads in the City and County of San Francisco.

Also, Senate Bill No. 165—An Act in relation to the Omnibus Railroad Company, in the City and County of San Francisco.

Also, Senate Bill No. 69—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 285—An Act to amend an Act concerning roads and highways in the County of Santa Clara

Also, Senate Bill No. 231—An Act to amend an Act entitled an Act to create the Seventeenth Judicial District, approved March nineteenth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 192—An Act granting certain privileges to the Central Railroad Company of San Francisco.

And, on this day, refused to recede from Senate amendments to Assembly Bill No. 77—An Act to encourage the destruction of squirrels and gophers in certain counties of this State. The following Committee of Conference was appointed on the part of the Senate: Senators Fowler, Green and Lawrence.

ROBERTS,
Secretary.

SENATE CHAMBER,
February 9th. 1870. }

Mr SPEAKER : I am directed to inform the Assembly that the Senate, on the seventh instant, passed, under suspension of the rules. Senate Bill No. 340—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide for the establishment, maintenance and protection of public and private roads.

And, on the eighth instant, passed, under suspension of the rules, substitute for Senate Bill No. 102—An Act to pay the estate of Peter Seilor, deceased, to his legal heirs.

Also, under suspension of the rules, passed Senate Bill No. 172—An Act to amend an Act providing for the time of holding Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three

And, on this day, passed substitute for Assembly Bill No. 206—An Act to legalize and make valid the election of certain officers and to prescribe their duties, in and for the County of Amador.

And adopted Assembly Concurrent Resolution No. 12—Relative to petitioning Congress for certain mail routes

ROBERTS,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 104, above reported, read first and second times and referred to the San Francisco delegation

Senate Bill No. 165, above reported, read first and second times and referred to the San Francisco delegation

Senate Bill No. 69, above reported, read first and second times and referred to the San Francisco delegation

Senate Bill No. 192, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 285, above reported, read first and second times and referred to the Santa Clara delegation

Senate Bill No. 231, above reported, read first and second times and ordered on file

Assembly Bill No. 77, above reported.

The Speaker appointed Messrs Kelley, Shoemaker and Carothers a Committee of Conference on the part of the House

Senate Bill No. 340, above reported, read first and second times and referred to the Committee on Roads and Highways

Substitute for Senate Bill No. 102, above reported, read first and second times and, by unanimous consent, read a third time and passed ; title approved.

Senate Bill No. 172, above reported, read first and second times and referred to the Judiciary Committee.

NOTICE.

Notice of the introduction of a bill was given as follows :

By Mr. McMillan—An Act authorizing the State to appropriate moneys for the purpose of building a railroad and passenger bridge from a point on the shore of San Francisco County to a point on the shore of Alameda County

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. McMurry of El Dorado—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee

By Mr. M. Hayes—An Act granting certain privileges to the Potrero and Bay View Railroad Company

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

By Mr. Ryan—An Act authorizing the City and County Surveyor of the City and County of San Francisco to locate and lay down the Central Macadamized Toll-road on the official map of outside lands, and conferring certain powers on the Tax Collector of said city and county

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

By Mr. Satterwhite—An Act supplementary to and explanatory of an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to tax foreign insurance companies doing business in this State, approved April fifteenth, A. D. eighteen hundred and sixty-two, approved March second eighteen hundred and sixty-four.

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

By Mr. Johnson—An Act to allow the claim of J. A. Eagan against the County of Amador

Read first and second times and referred to the Alpine and Amador delegation

By Mr. Hubner—An Act for the relief of W. R. Crawford

Read first and second times and referred to the San Joaquin delegation

By Mr. O'Connell—An Act to authorize the Treasurer of the City and County of San Francisco to pay James H. Clarke the sum of four hundred and eighty dollars.

Read first and second times and referred to the Committee on Claims

By Mr. Merritt—An Act to authorize the Mayor and Common Council of the City of Marysville to close up Virgin alley, between Seventh and Eighth streets

Read first and second times and ordered to the general file.

By Mr. Murphy of Del Norte—An Act to authorize James K. Johnson, J. Wells, their associates and assigns, to construct and maintain a wharf in the bay of Crescent City, in Del Norte County

Read first and second times and referred to the Committee on Commerce and Navigation

GENERAL FILE

Assembly Bill No. 95—An Act to amend an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three

Read a third time

On the passage of the bill the ayes and noes were demanded by Messrs. Biggs, Lambert and Satterwhite.

Mr. Mooney moved a call of the House

Lost, on a division

The roll was called and the bill passed, by the following vote :

AYES—Messrs Appling, Blankenship, Brown o Amador, Brown of Yuba, Colonel Doss, Escandon, Fortune, Freeman, Fryer, Green, Griswold, Haile, Hawley, M Hayes Henley of Mendocino, Henley of Sonoma Horan, Hudson, King Lambert, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado Merritt, Miller of Marin, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell Odell, Pool, Robinson, Satterwhite, Scarce, Shoemaker, Shores, Slicer Thomas Walden, Young and Mr Speaker—45

NOES—Messrs Andrews, Berry, Biggs, Calderwood, Carothers, De Haven, Eichelroth, Finney, Gildea, Hubner, Inman, Johnson, Kelley, Kontz, Lewelling, Martin of Butte, McMurry of Trinity, Miller of El Dorado, Mooney, Murphy of Santa Clara, Newell Power, Ryan, Sammons, Thurston, Waldron and York—27

Title approved

Senate Concurrent Resolution No 6—Relative to mineral lands

Passed on file

Assembly Bill No. 89—An Act to pay John Mullen for services rendered the State of California in reporting and preparing testimony taken in certain swamp land trials held in this State by an Act of Congress, approved July twenty-third, eighteen hundred and sixty-six.

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY

Reported back with amendment, and passage recommended as amended

Amendment adopted

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called

Quorum present

On motion of Mr Naphtaly, the special order set for half-past one o'clock P. M. was postponed, to resume the consideration of Assembly Bill No 89.

The author of the bill was allowed to withdraw the bill temporarily.

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

SPECIAL ORDER.

The special order for half-past one o'clock P. M., motion to reconsider vote on Assembly Bill No 3—An Act authorizing the laying down of a railroad track in certain streets of the City and County of San Francisco—was taken up

Mr Murphy of Santa Clara, moved to indefinitely postpone the motion to reconsider.

Mr Andrews moved a call of the House

Lost, on a division

Mr. Andrews moved to make the motion to indefinitely postpone the motion to reconsider, the special order for Tuesday next, at two o'clock P. M.

[Speaker pro tem in the chair]

Mr. Biggs moved a call of the House.

Lost, on a division.

Mr. Andrews was allowed to withdraw his motion.

Mr Green moved the previous question

Sustained

The question being on the motion of Mr. Murphy of Santa Clara, to indefinitely postpone the motion to reconsider, the ayes and noes were demanded by Messrs. Haile, G. R. B. Hayes and Ryan, and the motion prevailed, by the following vote :

AYES—Messrs. Carothers, Coronel, Eichelroth, Escandon, Freeman, Gildea, Green, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Inman, Johnson, King, Lewelling, Miller of Marin, Moynihan, Munday, Murphy of Santa Clara, Naph-taly, Oates, O'Connell, Fool, Robinson, Rockwell, Ryan, Shoemaker, Stephens, Thomas, Thurston, Waldron, Williams, York and Young—39

NOES—Messrs Andrews, Appling, Berry, Biggs, Brown of Yuba, Cal-derwood, Crigler, De Haven, Doss, Finney, Fryer, Haile, Kelley, Koutz, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Murphy of Del Norte and Klamath, Newell, Odell, Power, Sammons, Satterwhite, Scarce, Shores, Shcer, Walden and Mr. Speaker—32

Mr. Henley of Mendocino was granted indefinite leave of absence.

On motion of Mr Carothers, Assembly Bill No. 34 was taken up out of its order on the file, and subsequently referred to the Judiciary Com-mittee.

Mr McMurry of Trinity moved a call of the House.

Carried.

The roll was called, and the following members found absent without excuse: Messrs. Brown of Amador, Horan, Lambert, Martin of Siski-you and Romer.

Messrs Martin of Siskiyou and Horan were allowed to appear and give reasons for being absent

Their excuses were accepted

On motion of Mr Kelley, further proceedings under the call of the House were dispensed with.

Messrs. Biggs, Martin of Butte, Mooney and the members of the Com-mittee on Fees and Salaries were granted leave of absence for the remainder of the day.

REPORT

Mr Newell, from the Committee on Engrossment, made the following report :

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 41—An Act to create the office of Bank Commissioner and to prescribe his duties and powers

NEWELL, of Committee.

GENERAL FILE RESUMED.

Assembly Bill No 227—An Act to prevent the improper use and dis-play of deadly weapons.

Indefinitely postponed.

Assembly Bill No. 235—An Act to amend an Act entitled an Act concerning conveyances, passed April sixteenth, eighteen hundred and fifty, and the Act amendatory thereof, passed February fifteenth, eighteen hundred and sixty-four, approved April second, eighteen hundred and sixty-six

Ordered engrossed.

Assembly Bill No. 164—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the various Acts amendatory and supplementary thereof.

Ordered engrossed.

Assembly Bill No. 62—An Act to establish a uniform system of ballots to be used at elections in this State and to punish the violation of the same.

Mr. Haile offered the following concurrent resolution in reference to the bill :

Resolved by the Assembly, the Senate concurring, That a committee of three from the Assembly and two from the Senate, be appointed, to whom shall be referred Assembly Bill No. 62 and Senate bills in relation to uniform ballots, with directions to report a bill regulating the same, at an early day, for the action of this Legislature

Mr. Satterwhite moved to recommit the bill to the Committee on Elections, with instructions to report a substitute therefor.

Lost

The resolution of Mr. Haile was adopted.

REPORT.

Mr. Martin of Siskiyou, from the Committee on Enrolment, made the following report :

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 34—An Act concerning public roads and highways in the County of Monterey

Also, Assembly Bill No. 38—An Act providing for a preliminary survey of the Harbor of Santa Cruz and Salinas Slough, in Monterey Bay.

Also, substitute for Assembly Bill No. 53—An Act to provide for the payment of the salary of the County Judge of Kern County

Also, Assembly Bill No. 170—An Act to authorize the Governor of the State of California to appoint three additional Notaries Public for the County of Santa Clara

And this day, at two o'clock and forty minutes P. M., presented the same to the Governor for his approval.

MARTIN (of Siskiyou), for Committee.

Mr. Ryan was excused for the remainder of the day.

GENERAL FILE RESUMED

Assembly Bill No. 313—An Act to authorize the Odd Fellows' Cemetery Association to borrow money for certain purposes, and to secure the same by mortgage upon real estate

Rules suspended, bill considered engrossed, read a third time and passed; title approved

On motion of Mr. Doss, the following bill was taken up out of its order on the file: Assembly Bill No. 314—An Act to regulate the time for commencing assessments in Kern County

At three o'clock and forty-five minutes p. m. Mr. Oates moved to adjourn.

Lost

Mr. Oates moved a call of the House

Lost

Assembly Bill No. 314 resumed.

Amendment adopted.

Mr. Doss moved to suspend the rules, to place the bill on its final passage.

[Speaker in the chair.]

Messrs. Shores and Finney were excused from further attendance during the day

The House refuse to suspend the rules

At four o'clock and ten minutes p. m. Mr. Oates moved to adjourn.

Lost.

On the engrossment of Assembly Bill No. 314, the House refused to order the bill engrossed.

Mr. King, by unanimous consent, was allowed to record his vote in the affirmative on the passage of Assembly Bill No. 95, and Mr. Gildea to record his vote in the negative.

SENATE MESSAGE

Mr. McMurry of Trinity moved to take up Senate message

Carried.

The following Senate message was then read:

SENATE CHAMBER,
February 10th, 1870 }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on the eighth day of February, passed Senate Bill No. 56—An Act to authorize Harriet Wilkins, administratrix, to sell certain real and personal estate.

Also, Senate Bill No. 265—An Act to appropriate money for the payment of curtains, carpets and mattings for Senate and Assembly Chambers.

Also, Senate Bill No. 300—An Act providing for the appointment of additional Notaries Public in the County of Sacramento

Also, Senate Bill No. 137—An Act to provide for levying a special tax to construct and furnish a public school house in Merced Falls School District.

Also, Senate Bill No. 248—An Act to provide for the payment of certain salaries in the County of Calaveras.

And, on this day, adopted a concurrent resolution relative to a joint convention.

CURTIS,
Assistant Secretary.

Senate joint resolution, above reported, read and concurred in.

The Speaker appointed Messrs Haile, Finney and Andrews a committee, on the part of the House, on a bill for a uniform system of ballots.

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, February 11th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Shores was granted indefinite leave of absence on account of indisposition, and Messrs Griswold Thurston and Thomas, indefinitely, to attend to committee duties.

PETITIONS.

Mr. O'Connell presented a petition from citizens of San Francisco, requesting the Acts of the last Legislature relating to the business of fire and marine insurance companies be repealed; also, the repeal of the Act appointing an Insurance Commissioner.

Received and referred to the Committee on Corporations.

Mr. King presented a petition in reference to constructing a wagon road from the Town of Truckee, in Nevada County, to Tahoe City, Lake Bigler.

Received and referred to the Committee on Roads and Highways.

Mr. Walden presented a petition from citizens of Stanislaus County, in reference to the removal of the county seat of Stanislaus County.

Received and referred to the Committee on Counties and County Boundaries.

Also, a petition from citizens of Stanislaus County, in relation to a trespass law.

Received and referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Mr. King, from the Committee on Corporations, made the following report:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 44—Relating to certificates of incorporation—have had the same under consideration and report it back with amendment, and recommend the passage of the bill as amended.

KING, Chairman.

On motion of Mr. King, the usual number of copies of the above reported bill were ordered printed.

Mr. Kelley, from the Committee on Agriculture, made the following report:

Mr. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 340—An Act for the preservation of trout in the Counties of Santa Clara, Santa Cruz, San Mateo, Monterey, Alameda, Marin, Sonoma, Placer and Nevada—have had the same under consideration and beg leave to report the same back and recommend it be referred to the delegations representing the counties named in the bill.

KELLEY, Chairman.

Mr. Satterwhite, from the Committee on Public Lands, made the following report:

Mr. SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 276, have had the same under consideration, and report it back and recommend that it do not pass.

SATTERWHITE, Chairman.

Mr. Naphtaly, from the Judiciary Committee, made the following report:

Mr. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 154—An Act to ratify and confirm certain ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco and proceedings had thereunder—respectfully report that they have had said bill under consideration and report the same back and recommend its passage

They have also considered Assembly Bill No. 344—An Act to provide for the manner of auditing claims against Humboldt County and to provide for the reduction of taxation therein and expenses thereof—report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 137—An Act amendatory to an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight—and respectfully report the same back with an amendment, and recommend the passage of the bill as amended.

They have also considered Assembly Bill No. 192—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twentieth, eighteen hundred and sixty-two—and respectfully report the same back and recommend that the bill be indefinitely postponed.

NAPHTALY, Chairman.

Mr. Naphtaly, Chairman of the Judiciary Committee, submitted a report of that committee, giving an opinion upon the resolution of inquiry introduced by Mr. Hihn, as to the question, "What officer will be Tax Collector in Santa Cruz County after the first Monday in March, eighteen hundred and seventy?"

[For report, see Appendix.]

Upon motion of Mr. Naphtaly, the report was referred to the Committee on Fees and Salaries.

On motion of Mr. Brown of Amador, the usual number of copies were ordered printed.

REPORTS OF SELECT COMMITTEES.

Mr. Inman, from the Alameda delegation, made the following report :

MR. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 91—An Act ratifying and confirming action of Common Council of the City of Oakland for relief of John Scott—respectfully report that they have had the said bill under consideration, and report the same back and recommend its passage

INMAN, for Delegation.

Mr. Johnson made the following report :

MR. SPEAKER: The delegation from Alpine and Amador, to whom was referred Assembly Bill No. 357—An Act to allow the claim of John A. Eagan against the County of Amador—have had the same under consideration, report it back with amendments, and recommend its passage as amended.

JOHNSON,
BROWN of Amador.

Mr. Hubner, from the San Joaquin delegation, made the following report :

MR. SPEAKER: The San Joaquin delegation, to whom was referred Assembly Bill No. 356—An Act for the relief of W. R. Crawford—report that they have had the same under consideration and recommend its passage.

HUBNER,
THURSTON,
For Delegation.

GOVERNOR'S MESSAGE.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 10th, 1870. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 302—An Act to amend an Act entitled an Act to separate the office of County Recorder from that of County Clerk in the County of Alameda, and to provide for the election of a County Recorder therein, approved March thirtieth, eighteen hundred and sixty-eight

Also, Assembly Bill No. 102—An Act to create a Bridge Fund in the County of Placer, and to authorize the levy of a tax therefor.

Also, Assembly Bill No. 180—An Act to authorize the Board of Supervisors of Sutter County to issue bonds for road purposes.

Also, Assembly Bill No. 226—An Act to legalize the name of Lake Bigler.

H. H. HAIGHT,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Carothers offered the following resolution :

Resolved, That all legislation pertaining to the City of San Francisco be made the special order for Wednesdays and Saturdays of each week

Laid over one day.

Mr. Kelley offered the following resolution :

Resolved, That P. C. Applying be and is hereby added to the Committee of Conference to act upon Assembly Bill No. 77—An Act to encourage the destruction of squirrels and gophers in certain counties of this State and to provide for a bounty for the same.

Adopted.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
February 10th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Assembly Bill No. 46—An Act to amend an Act entitled an Act to authorize Lynian Leslie, Paul K. Hubbs, and their associates and assigns, to build and maintain a wharf in the City of Vallejo

Also, Senate Bill No. 198—An Act supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Also, Senate Bill No. 235—An Act to amend an Act entitled an Act concerning the Courts of justice of this State, approved April twentieth, eighteen hundred and sixty-eight.

Also, amended and passed Assembly Bill No. 23—An Act to authorize Alexis Kustel and Oscar Kustel, and their associates, to construct and maintain a chute and landing at or near Fish Rock Landing, Mendocino County, and to charge and collect tolls for the use of the same.

Also, amended and passed Assembly Bill No. 116—An Act for the relief of the indigent sick in Humboldt County.

Also, Assembly Bill No. 182—An Act to authorize the Controller of State to credit the Treasurer of Tuolumne County with certain State poll tax receipts.

Also, amended and passed Assembly Bill No. 111—An Act for the construction of a turnpike wagon road in Mendocino County.

Also, Assembly Bill No. 40—An Act to confirm order number eight hundred and eighty-three of the Board of Supervisors of the City and County of San Francisco

Also, Assembly Concurrent Resolution No. 11—Relative to establishing a mail route in Marin and Sonoma Counties.

ROBERTS,
Secretary.

CONSIDERATION OF SENATE MESSAGES

Senate Bill No. 56, reported on yesterday, read first and second times and referred to the Judiciary Committee

Senate Bill No. 248, reported on yesterday, read first and second times and referred to the Judiciary Committee

Senate Bill No. 300, reported on yesterday, read first and second times and referred to the Judiciary Committee

Senate Bill No. 198, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 235, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 23, above reported, temporarily passed to the file : subsequently taken up and Senate amendments concurred in.

Assembly Bill No. 111, above reported, temporarily passed to the file ; subsequently taken up and Senate amendments concurred in.

Assembly Bill No. 116, above reported, Senate amendments concurred in.

Senate Bill No. 137, reported on yesterday, read first and second times and referred to the Merced delegation.

Senate Bill No. 265, reported on yesterday, read first and second times and referred to the Committee on Public Expenses and Accounts.

NOTICES.

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

By Mr. Rockwell—An Act to encourage the introduction of fresh water on the desert west of Fort Yuma.

Also, an Act to authorize the Board of Supervisors of the City and County of San Francisco to deed a certain reservation of land to the Society of Mexican Veterans

Also, an Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain demand on the treasury of said city and county

REPORT.

Mr. Inman, by leave, made the following report :

MR. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 347—An Act to provide for the building a roadway across the estuary of San Antonio, in the County of Alameda—respectfully report that they have had the same under consideration, and report the same back, with an amendment, and recommend its passage as amended

INMAN, for Delegation

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Inman—An Act entitled an Act to amend section eighty-one of an Act to provide revenue for the support of the Government of this State.

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

By Mr. Naphtaly—An Act to regulate the distribution of the Police Fund of the City and County of San Francisco

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

By Mr. Rockwell—An Act authorizing the publication of certain legal notices in a State paper printed at the seat of Government of the State of California

Read first and second times and referred to the Judiciary Committee

By Mr. Lewelling—An Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two.

Read first and second times and referred to the Committee on Roads and Highways

Also, an Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo.

Read first and second times and referred to the Alameda and San Mateo delegations.

By Mr. O'Connell—An Act for the relief of T. D. Murphy, William D. Murphy, G. E. Nottage, P. Malloy, M. J. Bolan, Courtland Wood, Henry G. Quinn and Ira D. Thompson, all of the City and County of San Francisco

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

On motion of Mr. Kelley, Assembly Bill No. 344 was referred to the delegations from the counties named in the bill.

GENERAL FILE.

Assembly Bill No. 140—An Act authorizing John N. Dadleston and his assigns to construct and maintain a toll road in Mono County.

Read a third time and passed; title approved

Assembly Bill No. 211—An Act amendatory and supplemental to an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourth, eighteen hundred and fifty-three, and the Act amendatory thereof and supplemental thereto

Read a third time and passed; title approved.

Assembly Bill No. 212—An Act to amend section four of an Act entitled an Act to provide for the licensing of auctioneers and to define their duties and liabilities.

Read a third time and passed; title approved

Mr. Lambert was granted leave of absence for the remainder of the day, and Mr. De Haven until Monday.

Assembly Bill No. 267—An Act to authorize W. W. Fowler, George J. Hooper, and their associates and assigns, to lay down gas pipes in the City of San Diego

Read a third time and passed; title approved.

Assembly Bill No. 41—An Act to create a Bank Commissioner, to prescribe his duties and powers.

Read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Fortune, Eichelroth, and Murphy of Del Norte, and it passed, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Amador, Brown of Yuba, Coronel, Crigler, De Haven, Doss, Escandon, Fryer, Green, Haile, Hawley, Henley of Sonoma, Hubner, Hudson, Kelley, King, Lambert, Martin of Butte, McClaskey, McMurphy of El Dorado,

McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Munday, Murphy of Del Norte and Klamath, Odell, Pool, Robinson, Satterwhite, Scarce, Slicer, Stephens, Young and Mr. Speaker—39

NOES—Messrs Calderwood, Eichelroth, Finney, Fortune, M Hayes, Inman, Johnson, Koutz, Miller of Marin, Murphy of Santa Clara, Oates, O'Connell, Power, Rockwell, Ryan, Sammons, Shoemaker Waldron and York—19.

• Title approved

Senate Concurrent Resolution No 6—Relative to mineral lands

Mr. Andrews moved to make the resolution the special order for two o'clock P M

Carried

At eleven o'clock and forty-five minutes A M, on motion of Mr. Gildea, the House took a recess for five minutes

REASSEMBLED

At ten minutes to twelve o'clock A M the House reassembled.

Speaker in the chair

Roll called

Quorum present

Mr. Gildea moved a call of the House.

Carried.

The roll was called and a number of members found absent.

On motion of Mr. Mooney, further proceedings under the call of the House were dispensed with.

IN JOINT CONVENTION.

The following are the proceedings of the joint convention to elect five Trustees for the Deaf and Dumb and Blind Institute :

The hour of twelve o'clock M having arrived, the joint convention was called to order by the President pro tem of the Senate, in conjunction with the Speaker of the House.

The rolls of the Senate and Assembly were called, by the Secretary of the Senate and Chief Clerk of the Assembly, and the following Senators and Assemblymen responded :

SENATORS—Messrs Banvard, Botge, Burnett, Chappell, Comte, Conly, Conn, Curtis, Farley, Green, Gwin, Hager, Hunter, Irwin, Kincaid, Larkin, Lawrence, Lewis, Maclay, McDougall, Minis, Morrill, O'Connor, Orr, Pondegast, Perkins, Roberts, Saunders, Tompkins, Turner, Tweed, Wand and Wing

ASSEMBLYMEN—Messrs Andrews, Appling, Berry, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Coronel, Crigler, Eichelroth, Escandon, Finney, Fortune, Fryer, Gildea, Green, Haile, Hawley, G. R B Hayes, M Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Johnson, King, Koutz, Llewelling, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Mur-

phy of Santa Clara, Naphtaly, Newell, Oates, O'Connell Odell, Pool, Power, Robinson, Rockwell, Sammons Scarce, Shoemaker, Slicer, Stephens, Thomas, Walden, Waldron, York, Young and Mr. Speaker.

The President pro tem of the Senate directed the Senate concurrent resolution authorizing the joint convention read, as follows :

Resolved by the Senate, the Assembly concurring, That the Senate and Assembly meet in joint convention, in the Assembly Chamber, on Friday, February eleventh, at twelve o'clock M., for the purpose of electing five Trustees for the Deaf and Dumb and Blind Institute

Mr. Pendegast moved that the convention proceed to elect five Trustees for the Deaf, Dumb and Blind Institute at once

Carried.

Nominations being in order, Mr. Wand nominated John C Hayes, I. E. Nicholson, J. Mora Moss, Harry Linden and Chas. J Brenham

Mr. Roberts placed the following names in nomination: F. A. Gibbs, John B. Felton, J. P. Whitney, J. A. Benton and D. M. Baldwin.

The rolls of the Senate and Assembly were then called, with the following result :

| SENATORS. | Baldwin .. | Benton | Whitney .. | Felton | Gibbs | Hayes..... | Nicholson .. | Moss, | Linden | Brenham. . |
|------------------|------------|--------------|------------|--------------|-------------|------------|--------------|-------------|--------------|------------|
| Banvard.. | | | | | | 1 | 1 | 1 | 1 | 1 |
| Betge | | | | | | 1 | 1 | 1 | 1 | 1 |
| Burnett | | | | | | 1 | 1 | 1 | 1 | 1 |
| Chappell..... | 1 | 1 | 1 | 1 | 1 | | | | | |
| Comte..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Conly..... | 1 | 1 | 1 | 1 | 1 | | | | | |
| Conn..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Curtis | | | | | | 1 | 1 | 1 | 1 | 1 |
| Farley | | | | | | 1 | 1 | 1 | 1 | 1 |
| Green | 1 | 1 | 1 | 1 | 1 | | | | | |
| Gwin..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Hager... .. | | | | | | 1 | 1 | 1 | 1 | 1 |
| Hunter | | | | | | 1 | 1 | 1 | 1 | 1 |
| Irwin..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Kincaid..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Larkin..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Lawrence | | | | | | 1 | 1 | 1 | 1 | 1 |
| Lewis | | | | | | 1 | 1 | 1 | 1 | 1 |
| Maclay..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| McDougall | | | | | | 1 | 1 | 1 | 1 | 1 |
| Minis | | | | | | 1 | 1 | 1 | 1 | 1 |
| Morrill..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| O'Connor..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Orr..... | 1 | 1 | 1 | 1 | 1 | | | | | |
| Pacheco | 1 | 1 | 1 | 1 | 1 | | | | | |
| Pendegast | | | | | | 1 | 1 | 1 | 1 | 1 |

| SENATORS | Brenham.. | Linden..... | Moss..... | Nicholson.. | Hayes, | Gibbs... .. | Felton..... | Whitney... | Benton.... | Baldwin... .. |
|---------------|-----------|-------------|-----------|-------------|--------------|-------------|-------------|------------|------------|---------------|
| Perkins..... | ..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 | 1 |
| Roberts..... | ..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 | 1 |
| Saunders..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Tompkins..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Turner..... | ..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 | 1 |
| Tweed..... | ..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 | 1 |
| Wand..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Wing..... | ..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 | 1 |
| Totals..... | 24 | 24 | 24 | 24 | 24 | 10 | 10 | 10 | 10 | 10 |

| ASSEMBLYMEN. | Brenham... | Linden..... | Moss, | Nicholson.. | Hayes..... | Gibbs..... | Felton..... | Whitney... | Benton..... | Baldwin.... |
|--------------------------|------------|-------------|-------------|-------------|------------|------------|-------------|------------|-------------|-------------|
| Andrews..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Appling..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Berry..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Biggs..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Blankenship..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Brown of Amador..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Brown of Yuba..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Calderwood..... | ..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 | 1 |
| Carothers..... | ..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 | 1 |
| Coronel..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Crigler..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Doss..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Duffy..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Eichelroth..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Finney..... | ..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | 1 | 1 |
| Fortune..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Fryer..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Gildea..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Green..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Haile..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Hawley..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Hayes, G. R. B..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Hayes, M..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Henley of Mendocino..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Henley of Sonoma..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Horan..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Hubner..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Hudson..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Inman..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |
| Johnson..... | 1 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... |

| ASSEMBLYMEN. | Baldwin..... | Benton..... | Whitney... | Fulton..... | Gibbs..... | Hayes | Nicholson.. | Moss | Linden..... | Brenham... |
|-----------------------------|--------------|-------------|------------|-------------|------------|-------------|-------------|-------------|-------------|------------|
| Kelley | | | | | | 1 | 1 | 1 | 1 | 1 |
| King | | | | | | 1 | 1 | 1 | 1 | 1 |
| Koutz | 1 | 1 | 1 | 1 | 1 | | | | | |
| Lewelling | 1 | 1 | 1 | 1 | 1 | | | | | |
| Martin of Siskiyou | | | | | | 1 | 1 | 1 | 1 | 1 |
| McClaskey | | | | | | 1 | 1 | 1 | 1 | 1 |
| McMillan | | | | | | 1 | 1 | 1 | 1 | 1 |
| McMurry of El Dorado | | | | | | 1 | 1 | 1 | 1 | 1 |
| McMurry of Trinity..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Merritt | | | | | | 1 | 1 | 1 | 1 | 1 |
| Miller of El Dorado..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Miller of Marin | | | | | | 1 | 1 | 1 | 1 | 1 |
| Mooney..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Moynihan | | | | | | 1 | 1 | 1 | 1 | 1 |
| Munday..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Murphy of Del Norte | | | | | | 1 | 1 | 1 | 1 | 1 |
| Murphy of Santa Clara | | | | | | 1 | 1 | 1 | 1 | 1 |
| Naphtaly | | | | | | 1 | 1 | 1 | 1 | 1 |
| Newell. | | | | | | 1 | 1 | 1 | 1 | 1 |
| Oates..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| O'Connell | | | | | | 1 | 1 | 1 | 1 | 1 |
| Odell..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Pool..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Power..... | 1 | 1 | 1 | 1 | 1 | | | | | |
| Robinson | | | | | | 1 | 1 | 1 | 1 | 1 |
| Rockwell..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Sammons..... | 1 | 1 | 1 | 1 | 1 | | | | | |
| Scarce..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Shoemaker.. .. | | | | | | 1 | 1 | 1 | 1 | 1 |
| Slicer | | | | | | 1 | 1 | 1 | 1 | 1 |
| Stephens..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Thomas..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Walden | | | | | | 1 | 1 | 1 | 1 | 1 |
| Waldron..... | 1 | 1 | 1 | 1 | 1 | | | | | |
| Williams..... | 1 | 1 | 1 | 1 | 1 | | | | | |
| York | 1 | 1 | 1 | 1 | 1 | | | | | |
| Young..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Rogers..... | | | | | | 1 | 1 | 1 | 1 | 1 |
| Totals..... | 11 | 11 | 11 | 11 | 11 | 57 | 57 | 57 | 57 | 57 |

Whole number of votes cast.....102
 Necessary to a choice..... 52
 John C Hayes received..... 81
 I. E. Nicholson received..... 81
 J. Mora Moss received..... 81
 Harry Linden received..... 81

| | |
|----------------------------------|----|
| Charles J. Brenham received..... | 81 |
| F. A. Gibbs received..... | 21 |
| John B. Felton received..... | 21 |
| J. P. Whitney received..... | 21 |
| J. A. Benton received..... | 21 |
| D. M. Baldwin received..... | 21 |

Whereupon the President pro tem. announced that John C. Hayes, I. E. Nicholson, J. Mora Moss, Harry Linden and Charles J. Brenham, having received a majority of all the votes cast, a majority of all the members elected to both Houses being present and voting, were duly elected Directors of the Deaf, Dumb and Blind Institute, to hold office for the term of four years.

Journal of joint convention read and approved

At twelve o'clock and fifty-three minutes p. m., on motion of Mr. Murphy of Del Norte, the convention adjourned.

The House took a recess until half-past one o'clock p. m.

REASSEMBLED.

At half-past one o'clock p. m. the House reassembled.

Speaker in the chair.

Roll called

Quorum present.

Mr. Henley of Sonoma was granted leave of absence for one day.

Mr. Odell moved a call of the House.

Lost, on a division.

INTRODUCTION OF BILLS.

The following bills were introduced, by consent :

By Mr. M. Hayes—An Act for the supply of pure water from Lake Bigler to the inhabitants of the City and County of San Francisco.

Read first and second times and referred to the Nevada and San Francisco delegations.

On motion of Mr. Naphtaly, the action of the House making this reference was reconsidered, and the bill referred to the El Dorado, Placer and San Francisco delegations.

By Mr. O'Connell—An Act to provide for the maintenance and support of the San Francisco Labor and Employment Exchange.

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

By Mr. Haile—An Act for the relief of Amos Roberts, Sheriff of Solano County.

Read first and second times and referred to the Committee on Claims, together with an accompanying bill of items

REPORTS.

Mr. Carothers made the following report :

MR. SPEAKER: The Committee of Conference, to whom was referred Assembly Bill No. 77—An Act to encourage the destruction of squirrels and gophers in certain counties in this State and to provide for bounties for the same—have had the same under consideration and agreed upon amendments, and report it back and recommend its passage as amended.

CAROTHERS, Chairman.

Mr. Merritt, from the Committee on Counties and County Boundaries, made the following reports :

Mr. SPEAKER: The Committee on Counties and County Boundaries to whom was referred Assembly Bill No. 169—An Act to create the County of San Benito, to define its boundaries and provide for its organization—respectfully report that they have had the said bill under consideration and herewith report the same back and recommend its passage.

MERRITT, Chairman.

Mr. SPEAKER: The Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 144—An Act to locate the county seat of the County of Lake—respectfully report that they have had the said bill under consideration and herewith report the same back and recommend its passage

MERRITT, Chairman

GENERAL FILE RESUMED

Senate Bill No 168—An Act directing the Controller of State to draw a certain duplicate warrant.

Read a third time and passed; title approved.

Senate Bill No 135—An Act to authorize Morris Wolff, Lewis Jacobs and John Ruffin, and their assigns, owners of an artesian well in the Town of San Bernardino, to lay down water pipes in the public streets of said town.

Read a third time and passed; title approved.

SPECIAL ORDER.

At two o'clock P. M. the special order, Senate Concurrent Resolution No. 6—Relative to mineral lands—was taken up.

Mr. Koutz offered a substitute.

[Mr. Martin of Butte in the chair.]

Mr. Williams offered the following resolution :

Resolved, That the Committee on Mines and Mining Interests are instructed to report, and that the whole subject matter of the disposal of the mineral lands be made the special order for one week from to-day, at half-past one o'clock P. M.

Mr. Eichelroth was excused for the remainder of the day.

Mr. Gildea offered an amendment, as follows :

Resolved, That the whole subject be referred to the Committee on Mines and Mining Interests, with instructions to report on Wednesday next, and that the report and resolutions be made the special order for next Friday, at half-past one o'clock P. M.

Mr. Martin of Siskiyou moved the previous question.

Sustained.

The amendment offered by Mr. Gildea was adopted, on a division.

On the resolution as amended, the ayes and noes were demanded by Messrs. Gildea, G. R. B. Hayes and Berry, and the House refused, by the following vote :

AYES—Messrs Andrews, Appling, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Coronel, Crigler, Duffy, Escandon, Fortune, Gildea, Hawley, M Hayes, Johnson, Koutz, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of Trinity, Miller of El Dorado, Mooney, Murphy of Del Norte and Klamath, Pool, Ryan, Williams and York—27.

NOES—Messrs Berry, Biggs, Doss, Finney, Freeman, Fryer, Green, Haile, G R B Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Kelley, King, Lambert, Lewelling, Merritt, Munday, Naphtaly, Newell, Oates, Odell, Power, Sammons, Sutterwhite, Scarce, Shoemaker, Shores, Stephens, Thomas, Thurston, Waldron, Young and Mr Speaker—37

Mr Koutz was allowed to withdraw the substitute offered by him

The question being on the substitute recommended by the Assembly committee, it was adopted

The resolution, as amended, was read a third time and passed; title approved.

At four o'clock P. M. Mr Biggs moved to adjourn until half-past seven o'clock this evening

Lost.

REPORTS.

Mr. Martin of Siskiyou, from the Committee on Enrolment, made the following report:

MR SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 43—An Act to grant the right to construct and maintain a bridge and ferry across Russian River, and to open a public highway thereto.

Also, Assembly Bill No. 190—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Trinity County to levy a special tax, approved April second, eighteen hundred and sixty-six

Also, Assembly Bill No 188—An Act granting leave of absence to Richard G Watkins, District Attorney of Mono County

Also, Assembly Bill No 61—An Act to amend an Act concerning crimes and punishments.

Also, Assembly Concurrent Resolution No 12—For a mail route from Millville, Shasta County, to Fort Bidwell, Siskiyou County, and to establish Post-offices

And this day, at two o'clock, presented the same to the Governor for his approval

MARTIN (of Siskiyou), for Committee

Mr. Kelley from the Committee on Agriculture, by leave, made the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bills Nos. 196 and 277—Being Acts to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six—have had the same under consideration and report them back with a substitute, and recommend the passage of the substitute.

KELLEY, Chairman.

Mr. Slicer, from the Committee on Education, by leave, made the following report :

MR. SPEAKER: Your Committee on Education, to whom was recommit-
ted, with special instructions, Senate Bill No. 51, beg leave to report
the same back, amended in accordance with said special instructions.

SLICER, Chairman.

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

Mr. Hubner was allowed to withdraw from the further consideration
of the House, Assembly Bill No. 87.

At four o'clock and five minutes P. M. Mr. Kelley moved to adjourn.

Lost.

Senate Bill No. 231—An Act to amend an Act entitled an Act to create
the Seventeenth Judicial District, approved March nineteenth, eighteen
hundred and sixty-eight.

Read a third time and passed; title approved.

Mr. Murphy of Santa Clara moved to take up Assembly Bill No. 77—
An Act to encourage the destruction of squirrels and gophers in certain
counties of this State, and to provide for a bounty for the same.

Carried.

On motion of Mr. Haile, the amendments recommended by the com-
mittee were adopted.

Mr. Naphtaly, by leave, offered the following resolution :

Resolved, That his Excellency the Governor be requested to return to
this House, Assembly Bill No. 297, for correction.

Adopted.

At four o'clock and twenty minutes P. M. Mr. Gildea moved to adjourn
until seven o'clock P. M.

Carried.

EVENING SESSION.

At seven o'clock P. M. the House reassembled.

Speaker in the chair

Roll called.

Quorum present

Messrs Biggs, Merritt, Williams, Ryan, Hihn, Sammons, Robinson
and the members of the State Prison Committee, were granted leave of
absence for the remainder of the day.

GENERAL FILE RESUMED.

Assembly Bill No. 234—An Act to provide for the settlement of state-
ments on appeal, and on motion to set aside reports of Commissioners in
certain cases.

Rules suspended, bill considered engrossed, read a third time and
passed; title approved

Mr. Thurston moved to take up Assembly Bill No. 89.

Lost, on a division

Assembly Bill No. 119—An Act to provide for the improvement of the
rivers and streams in Santa Clara County.

Recommitted to the Santa Clara delegation, to be reported back, and ordered placed at the head of the general file for Monday next.

Assembly Bill No. 254—An Act to pay the expenses necessarily incurred in suppressing Indian hostilities in the Counties of Humboldt and Trinity, in the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back with amendment and passage recommended as amended. Amendment adopted and bill ordered engrossed.

Assembly Bill No. 171—An Act to establish and define the powers and duties of the Board of Education of the City of Vallejo.

Amendments adopted

Amendments recommended by the committee to sections eighteen and nineteen, lost.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 189—An Act to provide for a street railroad in the City and County of San Francisco.

Mr. G. R. B. Hayes moved to refer the bill to the San Francisco delegation.

Lost.

Mr. Finney was excused for the remainder of the day.

Amendments recommended by the Committee on Corporations to various sections of the bill adopted.

Sections thirteen and fourteen, recommended by the committee, added to the bill and adopted.

On motion of Mr. Fortune, the rules were suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Biggs gave notice that, on to-morrow, he would move to reconsider the vote by which the bill passed.

Mr. Murphy of Santa Clara, by leave, introduced a bill for an Act to provide for the survey and disposal of certain lands belonging to the State of California.

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

On motion of Mr. Blankenship, the following bill was taken up out of its order on the file:

Assembly Bill No. 91—An Act to legalize the orders of the Board of Supervisors of Monterey County incorporating the Town of San Juan.

Substitute adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

SENATE MESSAGE.

On motion of Mr. G. R. B. Hayes, the rules were suspended to take up the following Senate message:

SENATE CHAMBER,
February 11th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Senate Bill No. 295—An Act to aid the Mercantile

Library Association of the City and County of San Francisco in paying its indebtedness.

ROBERTS,
Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 295, above reported, read first and second times.

Mr. G. R. B. Hayes moved to suspend the rules to put the bill on its final passage.

Objections were made and, on motion of Mr. Martin of Butte, the bill was referred to the Judiciary Committee.

REPORT.

Mr. Miller of Marin, from the Committee on Mileage, by leave, submitted the following report :

MR. SPEAKER : The Committee on Mileage respectfully submit the following report : That the following named members of the Committee on State Hospitals of the Assembly are each entitled to mileage—in visiting the State Insane Asylum at Stockton, the State Reform School in the County of Yuba, the Industrial School and other institutions in the City and County of San Francisco, as follows :

| Name. | Miles. | Amount. |
|-----------------|--------|---------|
| Eichelroth..... | 450 | \$90 00 |
| Carothers..... | 450 | 90 00 |
| Thomas..... | 450 | 90 00 |
| Doss..... | 450 | 90 00 |
| Griswold..... | 450 | 90 00 |
| Fryer..... | 450 | 90 00 |
| Thurston..... | 450 | 90 00 |

Your committee, therefore, recommend the adoption of the following resolution :

Resolved, That Messrs. Eichelroth, Carothers, Thomas, Doss, Griswold, Fryer and Thurston be each allowed the sum of ninety dollars, for mileage in visiting the State Insane Asylum at Stockton, the State Reform School in Yuba County and the Industrial School and other institutions in the City and County of San Francisco, in discharge of their duties as Committee on State Hospitals, payable out of the Contingent Fund of the Assembly, and that the State Controller draw his warrants upon the State Treasurer therefor.

MILLER (of Marin), Chairman.

The resolution was adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, by consent :

By Mr. Naphaly—An Act entitled an Act to amend an Act amendatory of article fourth of an Act, etc., to repeal the several charters of

the City and County of San Francisco, etc , and substituting this Act for article four, approved, etc

Read first and second times and referred to the Judiciary Committee.

By Mr. McMillan—An Act for the protection of white labor in the State of California.

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

By Mr. Thurston—An Act concerning Notaries Public in the County of San Joaquin

Read first and second times and placed on file, and ordered printed.

Mr. Naphtaly offered the following resolution, by leave :

Resolved, That when the Assembly adjourn this evening, it adjourn to Monday next, at half-past two o'clock P. M.

Laid on the table.

GENERAL FILE RESUMED

Assembly Bill No. 322—An Act to repeal an Act entitled an Act authorizing the Board of Supervisors of Plumas County to take and subscribe to the capital stock of Oroville and Virginia City Railroad Company and to provide for the payment thereof.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Mr. Thurston moved to take up Assembly Bill No. 89.

Pending which motion, at nine o'clock and fifty minutes P. M., on motion of Mr. Martin of Butte, the House adjourned.

GEO. H. ROGERS.

Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, February 12th, 1870. }

House met pursuant to adjournment *

Speaker in the chair.

Roll called.

Quorum present

Prayer by the Chaplain.

Journal of yesterday read and approved

Messrs. McMurry of El Dorado, Lambert and Koutz were granted leave of absence for one day.

PETITIONS.

Mr. Crigler presented a report or financial statement from the State Prison Commission, which was received and referred to the Committee on Ways and Means.

Mr. Walden presented a petition of citizens of Stanislaus County against the removal of the county seat of that county

Received and referred to the Committee on Counties and County Boundaries

REPORTS OF STANDING COMMITTEES

Mr Naphtaly, from the Judiciary Committee, made the following report:

Mr SPEAKER: The Judiciary Committee, to whom was referred Senate Bill No. 295—An Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtedness—respectfully report that they have had said bill under consideration, and report the same back and recommend the passage of the bill

NAPHTALY, Chairman

Mr Martin of Butte verbally reported that, as a member of the Judiciary Committee, he did not concur in the above report, and desired to enter his protest against the passage of the bill

Mr Hihn, from the Committee on Fees and Salaries, made the following reports:

Mr. SPEAKER: Your committee, to whom was referred Assembly Bill No. 283—An Act to regulate the salaries and fix the compensation of certain county officers of the County of Nevada—herewith report that they have had the same under consideration, and report it back with a substitute, and recommend the passage of the substitute

HIHN, Chairman

Mr. SPEAKER: Your committee, to whom was referred Assembly Bill No. 245—An Act to regulate fees of office and salaries of certain officers and to repeal certain other Acts in relation thereto—would respectfully report that they have had the same under consideration, and report it back with a substitute, and recommend the passage of the substitute.

In making this report we desire to say that, being very much pressed to make a report thus early, we have not had the time necessary to consider all the provisions of the bill as maturely as a bill of this importance demands. It is therefore recommended that five hundred copies of this bill be printed, so as to give a better opportunity for a full investigation of all its features.

HIHN, Chairman

Mr Martin of Butte, moved that the bill reported by the Committee on Fees and Salaries be ordered to the head of the general file for Tuesday next, and that the usual number of copies be printed

Mr Hihn moved to amend by naming Thursday.

Lost.

Mr. Hihn then moved to have the bill placed at the head of the file for next Wednesday

Lost.

The question being on the motion of Mr Martin of Butte, it prevailed.

Upon motion, the rules were suspended, and four hundred and eighty copies of the bill ordered printed.

Mr Mooney was granted leave of absence for the remainder of the day

Mr Martin of Butte, from the Committee on Engrossment, made the following report:

Mr SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 164—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the various Acts amendatory and supplementary thereto

Also, Assembly Bill No 235—An Act to amend an Act entitled an Act concerning conveyances, passed April sixteenth, eighteen hundred and fifty, and the Act amendatory thereto, passed February fifteenth, eighteen hundred and sixty-four, approved April second, eighteen hundred and sixty-six.

MARTIN (of Butte). Chairman

Mr Walden, from the Merced delegation, made the following report:

Mr SPEAKER: Your delegation, to whom was referred Senate Bill No. 137—An Act to provide for levying a special tax to construct and furnish a public school house in Merced Falls School District, in Merced County—beg leave to report the same back and recommend its passage.

WALDEN, for Delegation.

Mr. Biggs moved, in accordance with previous notice, to reconsider the vote by which the House, on yesterday, passed Assembly Bill No 189

Mr Naphtaly offered the following:

Resolved, That the motion to reconsider be postponed until Tuesday next, at eleven o'clock A. M

Mr Ryan moved the previous question.

Sustained.

The question being on making the motion to reconsider the special order for Tuesday next, at eleven o'clock A. M., the ayes and noes were demanded by Messrs G. R. B Hayes, Murphy of Del Norte and Moynihan, and the House refused, by the following vote:

AYES—Messrs Andrews, Berry, Biggs, Finney, Freeman, Fryer, Green, G R B. Hayes, Inman, Martin of Butte, McMillan, Murphy of Del Norte and Klamath, Naphtaly, O'Connell, Power, Rockwell, Slicer and Mr. Speaker—18.

NOES—Messrs. Appling, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Colonel, Crigler, Doss, Eichelroth, Escandon, Fortune, Gildea, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Johnson, King, Martin of Siskiyou, McClaskey, Merritt, Miller of El Dorado, Miller of Marin, Monday, Murphy of Santa Clara, Newell, Oates, Odell, Pool, Robinson, Ryan, Sammons, Satterwhite, Scarce, Stephens, Thomas, Thurston, Walden, Waldron, Williams and Young—46.

When the motion of Mr. Biggs to reconsider the vote by which the bill passed was lost.

On motion of Mr. McMillan, the rules were suspended and Senate Bill No. 295—An Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtedness—reported back from the Judiciary Committee to-day, was taken up and read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Walden, Berry and G. R. B. Hayes, and the House refused to pass the bill, by the following vote:

AYES—Messrs. Brown of Amador, Brown of Yuba, Carothers, Eichelroth, Escandon, Gildea, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Johnson, King, McMurry of Trinity, Merritt, Moynihan, Murphy of Santa Clara, O'Connell, Rockwell, Satterwhite and Williams—21.

NOES—Messrs. Andrews, Berry, Biggs, Blankenship, Carothers, Colonel, Crigler, Finney, Freeman, Fryer, Green, Haile, Henley of Sonoma, Hihn, Hubner, Hudson, Inman, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, Miller of El Dorado, Miller of Marin, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, Oates, Pool, Power, Robinson, Ryan, Sammons, Scarce, Shoemaker, Slicer, Stephens, Thomas, Thurston, Walden, Waldron, York, Young and Mr. Speaker—45.

Mr. Naphtaly gave notice that on some future day he would move to reconsider the vote by which the House refused to pass the bill.

At twelve o'clock and thirty minutes P. M. Mr. Berry moved to adjourn until Monday, at two o'clock and thirty minutes P. M.

Mr. Horan moved that the House take its recess.

Lost.

On the motion of Mr. Berry to adjourn to Monday, the ayes and noes were demanded by Messrs. Andrews, Crigler and Haile, and the motion prevailed, by the following vote:

AYES—Messrs. Berry, Biggs, Brown of Amador, Brown of Yuba, Carothers, Colonel, Doss, Escandon, Finney, Freeman, Fryer, Green, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Hubner, Inman, Johnson, King, Lewelling, Martin of Butte, McClaskey, McMillan, Merritt, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Pool, Robinson, Ryan, Stephens, Thomas, Thurston, Walden, Williams, Young and Mr. Speaker—42.

NOES—Messrs. Andrews, Blankenship, Calderwood, Crigler, Eichelroth, Gildea, Haile, Horan, Hudson, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Munday, Murphy of Santa Clara, Newell, Power, Sammons, Scarce, Shoemaker, Slicer, Waldron and York—22.

So the House stood adjourned till Monday, the fourteenth instant, at two o'clock and thirty minutes P. M.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, February 14th, 1870 }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Messrs Odell, O'Connell, G. R. B. Hayes, Ryan, Pool, Henley of Mendocino, Kelley, McClaskey, Murphy of Santa Clara and Lambert were granted leave of absence for one day; Mr. Hihn for two days, and Mr. Walden indefinitely.

Senate Bill No. 50, being the special order for two o'clock P. M., was ordered temporarily passed on file.

PETITION.

Mr. Rockwell presented a petition of the Trustees of the Associated Veterans of the Mexican War, asking that the Board of Supervisors of the City and County of San Francisco be empowered to give them a deed for a certain reservation set apart for their benefit.

Received and referred to the Judiciary Committee.

REPORTS OF STANDING COMMITTEES.

Mr. Shoemaker, from the Santa Clara delegation, made the following report:

MR. SPEAKER: The Santa Clara delegation beg leave to report Assembly Bill No. 119 back to the House, without amendments, and recommend its passage as it is.

SHOEMAKER, for Delegation

Mr. Finney, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 189—An Act to provide for a street railroad in the City and County of San Francisco.

FINNEY, of Committee.

Mr. Gildea moved to make Senate Bill No. 50 the special order for Wednesday next, at three o'clock P. M.

Mr. Biggs moved to amend the motion by making the bill the special order for half-past three o'clock to-day.

Lost.

When the motion of Mr. Gildea was agreed to.

Mr. Eichelroth was excused for one hour.

Mr. Biggs introduced amendments to the Constitution of this State—amendment to section twenty-one of article eleventh; amendment to section one of article ninth.

Read first and second times and referred to the Judiciary Committee
Mr. Henley of Sonoma, from the Committee on Federal Relations, made the following report :

MR. SPEAKER: The Committee on Federal Relations, to whom was referred Assembly Concurrent Resolutions Nos. 30 and 19, beg leave to report the same back and recommend their adoption

HENLEY (of Sonoma), Chairman

REPORTS OF SELECT COMMITTEES.

Mr. Fortune, from the San Francisco delegation, made the following report :

MR. SPEAKER: The San Francisco delegation, to whom was referred Senate Bill No. 69, have had the same under consideration, and herewith report it back and recommend its passage.

FORTUNE, for Delegation

Mr Robinson made the following joint report :

MR. SPEAKER: Your Joint Committee on the translation of the laws into the Spanish language, beg leave to report that they met in the office of the Secretary of State on Monday, the seventh instant, at twelve o'clock M., with a full committee present. The Secretary of State, in the presence of the committee, opened and presented the following bids, which were the only bids received up to that hour, to wit :

No 1, from A. D. Splivalo, proposing to translate at thirty cents per folio.

No. 2, from N. Torres, proposing to translate at nineteen and three-quarter cents per folio

No 3, from George Fisher, at fifty cents per folio.

No 4, from J. A. Forbes, at twenty-five cents per folio

No 5, from Thomas R. Eldredge, at fourteen cents per folio.

No 6, from C. Martinez, at eighteen cents per folio.

No. 7, from Miss Lindley, at twenty-four cents per folio.

After examining said bids, the committee adjourned, to meet in the same office on Saturday, February twelfth, at twelve o'clock M., at which time and place your committee reassembled, with a full committee present; whereupon, it appearing that Thomas R. Eldredge was the lowest bidder, and your committee being satisfied as to his competency, his bid was accepted, and the translation of the laws of this the eighteenth session of the Legislature was awarded unto him, the said Thomas R. Eldredge.

ROBINSON,
Chairman House Committee
PENDEGAST,
Chairman Senate Committee.

Mr Lewelling made the following report :

Mr. SPEAKER: The committee, consisting of the delegations from Alameda and San Mateo Counties, to whom was referred Assembly Bill No. 363—An Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo—have had the same under consideration, and report it back with a recommendation that it pass

LEWELLING, for Delegations

MOTIONS AND RESOLUTIONS

Mr. Naphtaly offered the following resolution:

Resolved, That the Sergeant-at-Arms be requested to hang for exhibition in this hall, during the pleasure of the owner, the national flag manufactured by Mr. Joseph Neumann for presentation to Congress.

Adopted.

Mr. Rockwell offered a concurrent resolution in reference to ordering the State Printer to print five thousand copies of the speeches delivered in the Senate and Assembly during the debate on the proposed Fifteenth Amendment.

Laid over one day.

Mr. Slicer offered the following resolution:

Resolved, That the Committee on Railroads are hereby instructed to report a bill to this House on or before one week from Wednesday next, regulating fares and freights on the various railroads of California.

Adopted.

Mr. Rockwell offered a concurrent resolution concerning lands in the desert west of Fort Yuma.

Referred to the Committee on Public Lands.

Mr. Berry offered a concurrent resolution, as follows:

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California do adjourn on the twelfth of March, A. D. eighteen hundred and seventy, *sine die*.

Laid on the table.

Mr. Naphtaly, in accordance with previous notice, moved to reconsider the vote by which the House refused to pass Senate Bill No. 295.

Upon motion of Mr. Naphtaly, the motion to reconsider was made the special order for two o'clock P. M. on Thursday next.

NOTICE.

Notice of the introduction of a bill was given as follows:

By Mr. Murphy of Del Norte—An Act entitled an Act to license gaming.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Waldron—An Act to encourage iron mining.

Read first and second times and referred to the Committee on Mines and Mining Interests.

By Mr. Appling—An Act to amend an Act entitled an Act to establish the County of Fresno, approved April nineteenth, eighteen hundred and fifty-seven

Read first and second times and referred to the Committee on Counties and County Boundaries

By Mr. Rockwell—An Act to encourage the supply of fresh water on the desert west of Fort Yuma

Read first and second times and referred to the Committee on Public Lands

Also, an Act to empower the Board of State Harbor Commissioners to purchase a dredging machine and appurtenances.

Read first and second times and referred to the Committee on Commerce and Navigation.

Also, an Act supplementary to an Act entitled an Act concerning the Harbormaster of San Francisco, approved March twenty-sixth, eighteen hundred and fifty-seven.

Read first and second times and referred to the Committee on Commerce and Navigation

Also, an Act to authorize the Mayor of the City and County of San Francisco to deed a certain lot of land to the Trustees of the Associated Veterans of the Mexican War.

Read first and second times and referred to the Judiciary Committee

Also, an Act to authorize the Board of Supervisors of the City and County of San Francisco to order paid a certain claim

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

By Mr. Murphy of Del Norte—An Act to amend an Act entitled an Act to amend the revenue laws, approved April fourth, eighteen hundred and sixty-four.

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

By Mr. Shoemaker—An Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State, passed May fifteenth, eighteen hundred and fifty-four, approved April twenty-seventh, eighteen hundred and fifty-five, and all Acts amendatory thereof.

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

Also, an Act to amend an Act entitled an Act supplementary to and amendatory of the foregoing Act of April twenty-ninth, eighteen hundred and fifty-seven, approved April seventeenth, eighteen hundred and fifty-eight.

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

By Mr. McMurry of Trinity—An Act to provide a Contingent Fund for the use of the Legislature.

Read first and second times and referred to the Committee on Public Accounts and Expenditures.

By Mr. Robinson (by request)—An Act to pay the claim of Thomas R. Eldredge.

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

By Mr. Haile—An Act to authorize the Board of Supervisors of Solano

County, on certain conditions herein named, to grant wharf franchises and to regulate the charges thereon.

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

Also, an Act to amend an Act entitled an Act to provide for the incorporation of colleges, passed April twentieth, eighteen hundred and fifty

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

By Mr. Robinson—An Act to create the Nineteenth Judicial District.

Read first and second times and referred to the Judiciary Committee.

By Mr. Newell—An Act entitled an Act to encourage the raising of Angora and Cashmere goats in this State, and the manufacture of different fabrics from the fleece thereof

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

By Mr. Mooney—An Act to amend an Act entitled an Act to provide revenue for the Government of this State, passed May seventeenth, A. D. eighteen hundred and sixty-one

Read first and second times and referred to the Judiciary Committee.

By Mr. Fryer—An Act to amend an Act entitled an Act to redistrict the County of Los Angeles, and to provide for the election of Supervisors, approved March twenty-eighth, eighteen hundred and sixty-eight

Read first and second times and ordered on the general file.

Mr Naphtaly, by leave, offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That the Enrolling Committee of the Assembly be and is hereby authorized to erase the word "next," found in the fifteenth line of the enrolled copy of Assembly Bill No 297, and substituting in lieu thereof the word "not "

Adopted.

GENERAL FILE.

Assembly Bill No 119—An Act to provide for the improvement of the rivers and streams in Santa Clara County

Substitute adopted and ordered engrossed

Assembly Bill No. 164—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the various Acts amendatory and supplementary theroot

Read a third time and passed ; title approved.

Assembly Bill No 235—An Act to amend an Act entitled an Act concerning conveyances, passed April sixteenth, eighteen hundred and fifty, and the Act amendatory thereto, passed February fifteenth, eighteen hundred and sixty-four, approved April second, eighteen hundred and sixty-six

Read a third time and passed, title approved

Senate Bill No 51—An Act to establish and define the powers and duties of the Board of Education of the City of Petaluma.

Read a third time and passed ; title approved

Mr Henley of Sonoma gave notice that on to-morrow he would move to reconsider the vote by which the bill passed

Senate Bill No 91—An Act ratifying and confirming action of Common Council of the City of Oakland for relief of John Scott.

Read a third time and passed ; title approved.

Senate Bill No 137—An Act to provide for levying a special tax to construct and furnish a public school house in Merced Falls School District.

Read a third time and passed; title approved

Assembly Bill No 324 ordered to the top of the general file for Wednesday next

Assembly Bill No. 325—An Act amendatory of an Act entitled an Act for establishing, maintaining and protecting public and private roads in the County of Contra Costa.

Ordered engrossed

Assembly Bill No. 213—An Act amending an Act entitled an Act supplementary to an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba and Santa Clara, approved May seventeenth, eighteen hundred and sixty one.

Amended and ordered engrossed.

Assembly Bill No. 239—An Act to promote the study of anatomy.

Amended and ordered engrossed

Mr. Doss, by leave, introduced the following bill—An Act to authorize the Board of Supervisors of Kern County to issue certain bonds for road purposes

Read first and second times and referred to the Kern County delegation.

Assembly Bill No 159—An Act to protect and encourage the production and sale of pure and wholesome milk and to prohibit and prevent the production and sale of unwholesome and adulterated milk

Ordered engrossed

Assembly Bill No 244—An Act to authorize the Board of Supervisors of the City and County of San Francisco to provide plans for a proper system of grades and sewers

Ordered engrossed

Assembly Bill No 332—An Act in relation to delinquent taxes in the County of Alpine.

Ordered engrossed

Assembly Bill No 296.

Passed on the file

Assembly Bill No. 263.

Passed on the file

Assembly Bill No. 257—An Act to amend an Act entitled an Act concerning crimes and punishments.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 311—An Act to amend an Act concerning Courts of justice in this State and judicial officers, approved April twenty-seventh, eighteen hundred and sixty-seven

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No 335—An Act for the appointment of two additional Notaries Public in the County of Solano

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No 217—An Act to provide for the improvement of the navigation of the Russian River and to declare said stream navigable

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 284 withdrawn by its author

Assembly Bill No. 303—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the Acts amendatory thereof.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 338—An Act to provide for the erection of a jail in the County of Del Norte

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 342—An Act authorizing the Board of Supervisors of Amador County to audit and allow the claim of James Carroll

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 146

Passed on file

Assembly Bill No. 273—An Act authorizing the construction of a turnpike road from the Town of Truckee, in Nevada County to the Hot Springs and State line at the northeasterly end of Lake Bigler in the County of Placer

Amended, rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 286—An Act to amend an Act entitled an Act concerning attorneys and counsellors at law approved February nineteenth, eighteen hundred and fifty-one

Mr. Finney moved to strike out the word 'white' from section one.

Lost

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 168.

Passed on file.

At four o'clock and fifty minutes p. m. Mr. Mooney moved to adjourn.

Lost.

Assembly Bill No. 291—An Act amendatory of and supplementary to an Act to incorporate the City of Nevada, approved April nineteenth, eighteen hundred and fifty-six

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 292—An Act to authorize the Trustees of the City of Benicia to re-tund the debt of said city

Amended, rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 320—An Act to provide for the building a bridge across Putah Creek, in Napa County, and to authorize the Supervisors of Napa County to levy a special tax for that purpose

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

At five o'clock and five minutes p. m., on motion of Mr Brown of Amador, the House adjourned

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
 Tuesday, February 15th, 1870. }

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

PETITIONS.

Mr. De Haven presented a petition from citizens of Arcata, Humboldt County, praying that section ten of an Act entitled an Act to incorporate the Town of Union, approved February second, eighteen hundred and fifty-eight, be repealed

Received and ordered on file

Also, a petition of citizens of Klamath County, praying that a portion of that county may be set off and be made a portion of Humboldt County.

Received and referred to the delegations from Klamath and Del Norte

REPORTS OF STANDING COMMITTEES.

Mr. Rockwell, from the Committee on Commerce and Navigation, made the following report :

MR. SPEAKER: The Committee on Commerce and Navigation have had under consideration the following named bills and taken action thereon as reported below :

Senate Bill No. 79—An Act for the regulation of sailors' boarding houses and of shipping houses in the City and County of San Francisco.

This measure is calculated to do away with great evils which exist in the matter of shipping and the treatment of seamen. The committee have slightly amended the bill and recommend its passage as amended.

Senate Bill No. 160—An Act to authorize the construction of a railroad bridge across Napa Creek, in the County of Napa.

There does not appear to be anything objectionable in this bill, but by the request of its author the committee recommend that it be indefinitely postponed

Assembly Bill No. 318—An Act to authorize C. A. Niles, W. S. Greenwood, C. E. Baldwin and G. L. Morton, and their assigns, to construct and maintain a wharf, chute and flume, at or near the mouth of Greenwood Creek, and to charge and collect tolls for the use of the same.

The committee, satisfied that the bill provides for a public good and that it is carefully guarded, recommend its passage

Assembly Bill No. 149—An Act to authorize Marcus Harloe (and others named in the bill) to build a wharf and railroad track at San Buenaventura, in the County of Santa Barbara.

The works provided for appear to be required for public use, and the committee therefore recommend the passage of the bill

Assembly Bill No. 186—An Act to authorize the construction of a wharf in the County of San Luis Obispo.

The committee recommend that the bill do pass.

Assembly Bill No. 343—An Act to improve Owens River for rafting logs, lumber and cordwood.

A bill calculated to work a great public benefit, and therefore the committee recommend its passage.

Assembly Bill No. 240—An Act to authorize John Dolbeer (and other parties named in the bill) to construct and maintain dams, booms and piers on Elk River, in Humboldt County, and to remove all obstructions in the channel of said river which may interfere with logging on the same. Also, a substitute for said bill, reported by the Humboldt delegation.

The committee have carefully considered both the bill and the substitute, have amended the substitute, and recommend the passage of the substitute as amended.

Assembly Bill No. 183—An Act for the improvement of the American River and its branches, and to regulate the floating of timber thereon.

The committee have carefully considered the bill, amended it, and recommend its passage as amended.

Assembly Bill No. 266—An Act to authorize Joseph J. Mannasse and Marcus Schiller, and their associates, to build, maintain and use a wharf at the southwesterly line of pueblo lot number one thousand one hundred and fifty-seven, in San Diego, in the County of San Diego.

The passage of the bill is recommended by the committee.

Assembly Bill No. 232—An Act granting the right to construct and maintain a public toll bridge across the Colorado River, etc.

The committee have amended the bill and recommend its passage as amended.

Assembly Bill No. 201—An Act authorizing the construction of a wharf in the County of San Diego.

The committee have amended this bill and recommend its passage as amended.

Assembly Bill No. 360—An Act to authorize James K. Johnson, J. Wells, their associates and assigns, to construct and maintain a wharf in the Bay of Crescent City, in Del Norte County.

The passage of this bill is recommended by the committee.

ROCKWELL, Chairman.

Mr. Moynihan was allowed to enter his protest against the above report, stating he was a member of the committee and had not been notified of committee meetings, and had not assisted to consider the bills reported.

Mr. Kelley, from the Committee on Agriculture, made the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 330—An Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, approved April twenty-first, eighteen hundred and fifty-seven, and the Act amendatory thereof, approved April twenty-eighth, eighteen hundred and sixty, and accompanying petition, praying for the passage of the same—have had the bill under consideration and report the same back and recommend its passage.

KELLEY, Chairman.

Mr. Naphtaly, from the Judiciary Committee, made the following report:

MR SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 331—An Act supplementary to an Act concerning crimes and punishments, passed April tenth, eighteen hundred and fifty—respectfully report that they have had said bill under consideration and report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 231—An Act to district the County of San Diego and to provide for the election of Supervisors—respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 316—An Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April tenth, eighteen hundred and fifty—and respectfully report the same back with an amendment and recommend the passage of the bill as amended.

They have also considered Senate Bill No. 133—An Act to authorize W. P. Keeny, administratrix of the estate of George Keeny, deceased, to sell certain lands of said estate—and respectfully report the same back and recommend the passage of the bill.

They have also considered Senate Bill No. 235—An Act to amend an Act, approved March twenty-fourth, eighteen hundred and sixty-four, entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-eight—and respectfully report the same back and recommend the passage of the bill.

Your committee also return Assembly Bill No. 327—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, etc—which was withdrawn by the author, with the consent of this Assembly.

They also return the petition and remonstrance of Mr. Carothers, of Contra Costa County, both of which have been withdrawn by consent of this Assembly.

NAPHTALY, Chairman.

Mr. Merritt, from the Committee on Counties and County Boundaries, made the following report:

MR SPEAKER: The Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 207—An Act to create the County of Donner, to define its boundaries, to provide for its organization and maintenance—respectfully report that they have had the said bill under consideration, and herewith report the same back and recommend that it do not pass.

MERRITT, Chairman.

Mr. Inman, from the Committee on Public Accounts and Expenditures, made the following reports:

MR. SPEAKER: The Committee on Public Accounts and Expenditures, to whom was referred Senate Bill No. 265—An Act to appropriate money for payment of curtains, carpets and matting for Senate and

Assembly Chambers—have had the same under consideration, report it back and recommend its passage.

INMAN, Chairman.

Mr. SPEAKER: The Committee on Public Accounts and Expenditures, to whom was referred Assembly Bill No. 391, have had the same under consideration, report it back and recommend its passage.

INMAN, Chairman.

REPORTS OF SELECT COMMITTEES.

Mr. DOSS made the following report:

Mr. SPEAKER: The delegation to whom was referred Assembly Bill No. 392—An Act to authorize the Board of Supervisors of Kern County to issue certain bonds for road purposes—beg leave to report the same back and recommend its passage.

DOSS, for Delegation.

GOVERNOR'S MESSAGES

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento February 14th, 1870. }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 61—An Act amendatory of an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty

Also, Assembly Bill No. 188—An Act granting leave of absence to Richard G. Watkins, District Attorney of Mono County.

Also, Assembly Bill No. 190—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Trinity County to levy a special tax, approved April second, eighteen hundred and sixty-six.

Also, Assembly Bill No. 38—An Act providing for a preliminary survey of the Harbor of Santa Cruz and Salinas Slough, in Monterey Bay.

Also, Assembly Bill No. 53—An Act to provide for the payment of the salary of the County Judge of Kern County.

Also, Assembly Bill No. 170—An Act to authorize the Governor of the State of California to appoint three additional Notaries Public for the County of Santa Clara

H. H. HAIGHT,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 14th, 1870. }

To the Assembly of the State of California:

At the request of your honorable body, I herewith return, for the purpose of correcting an error, Assembly Bill No. 297—An Act to authorize the Treasurer of Tuolumne County to pay certain outstanding warrants against said county.

H. H. HAIGHT,
Governor.

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MOTIONS AND RESOLUTIONS

On motion of Mr Gildea, Assembly Bill No 183, reported back this day from the Committee on Commerce and Navigation, was referred to the delegations from Placer and El Dorado Counties

The following concurrent resolution, offered by Mr Rockwell on yesterday, was taken up:

Resolved by the Assembly, the Senate concurring, That the State Printer be directed to print five thousand copies of the speeches delivered in the Senate and Assembly during the debate upon the Fifteenth Amendment, two-thirds for the use of the Assembly, and one-third for the use of the Senate.

Mr McMurry of Trinity moved to indefinitely postpone the resolution.

Mr McMurry of El Dorado moved the previous question.

Sustained

On the question to indefinitely postpone, the ayes and noes were demanded by Messrs Haile, Doss and Shoemaker, and the motion prevailed, by the following vote:

AYES—Messrs Andrews, Brown of Amador, Brown of Yuba, Carothers, De Haven, Duffy, Eichelroth, Finney, Green, Haile, Henley of Sonoma, Hubner, Hudson, Johnson, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell Oates, Pool, Power, Ryan, Scarce, Shoemaker, Slicer, Thomas, Thurston, Waldron, Williams and York—39.

NOES—Messrs Appling, Berry, Biggs, Blankenship, Calderwood, Crigler, Doss, Escandon, Fortune, Freeman, Fryer, Gildea, Griswold, Hawley, M Hayes, Horan, Kelley, Koutz, Miller of Marin, Moynihan, O'Connell, Odell, Rockwell, Romer, Sammons, Satterwhite, Shores, Stephens, Young and Mr Speaker—31

Mr Romer moved to take up Assembly Bill No 68 for consideration
Carried

The question being on an amendment to the resolution as offered by Mr. Ryan when the bill was under consideration on the nineteenth instant.

It was lost.

The resolution as amended was lost.

Mr Hubner moved to indefinitely postpone the bill

On which the ayes and noes were demanded by Messrs Brown of Amador, Haile and Lambert

Mr. Martin of Butte rose to a point of order, stating that there were amendments to the bill which should be considered before any motion was in order

Sustained.

The question being on the amendment as offered by Mr. Moynihan to section one, by striking out "Point Carvallo" and inserting "the southern line of New Saucelito."

Lost.

The printed bill was substituted for the written bill.

Mr Martin of Butte offered an amendment to section one, to allow the company six hundred and forty acres.

Mr. Andrews offered an amendment to the amendment, changing from "six hundred and forty" to "two hundred and forty" acres.

Lost

Mr Moynihan moved to refer the bill to the Committee on Swamp and Overflowed Lands

Lost.

Mr. Slicer offered an amendment to section one.

Lost.

When the amendment offered by Mr. Martin of Butte was adopted.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M the House reassembled.

Speaker in the chair.

Roll called.

Quorum present

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

Assembly Bill No. 68 resumed

Substitute for section one, recommended by the Committee on Commerce and Navigation, as amended, was adopted

Mr. Gildea offered an amendment to section two of the bill.

Adopted.

Mr Miller of Marin offered an amendment to section two.

Adopted.

Mr. Ryan offered an amendment, as follows :

Amend by inserting after the word "bay." in the last line of the second section, the words: " And the said company is hereby required to give bonds to the State in the sum of two million dollars, to be approved by the Governor, guaranteeing the construction of ten miles of said road in Marin County within three years after the passage of this Act."

Mr Lewelling offered an amendment to the amendment, as follows :

" If the bonds are not given, as provided for in this section, the franchise granted by this Act shall be null and void "

Adopted.

Mr Romer moved to strike out "two million dollars" and insert "five hundred thousand dollars "

Carried.

Mr. Haile offered a substitute for the amendment as amended.

Adopted.

Mr. Haile offered an amendment to section three of the bill

Adopted.

Mr. McMurphy of Trinity offered an amendment, as follows :

Amend by striking out, in the first and second lines of the third section, the words "Surveyor of the County of Marin," and insert "Surveyor-General of the State;" and strike out the words "Surveyor-General," in the fifth line, and insert " Governor."

Lost. on a division.

Mr. G. R. B. Hayes offered an amendment to the amendment recommended by the committee to section four, to strike out "one hundred acres" and insert "five acres."

Lost.

Mr Lambert offered an amendment to the amendment, to strike out "one hundred acres" and insert "fifty acres"

Adopted.

Mr. Biggs offered an amendment, as follows:

Insert at the end of section four: "*Provided*, That the lands herein granted shall be held by said company for its depots and purposes of operating said road, and shall not be sold or disposed of by said company."

Lost.

Mr. Murphy of Santa Clara, moved to strike out "fifty acres" and insert "fifteen acres."

On which the ayes and noes were demanded by Messrs. Andrews, Slicer and Ryan, and the House refused, by the following vote:

AYES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Brown of Yuba, Carothers, Crigler, De Haven, Freeman, Fryer, Green, G. R. B. Hayes, Hubner, Hudson, Inman, Kelley, Koutz, Lewelling, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphataly, O'Connell, Power, Ryan, Sammons, Scarce, Shoemaker, Slicer, Thomas and Waldron—36.

NOES—Messrs. Appling, Blankenship, Calderwood, Doss, Eichelroth, Escandon, Finney, Gildea, Griswold, Haile, Hawley, M. Hayes, Henley of Sonoma, Horan, Johnson, King, Lambert, Martin of Butte, McMurry of El Dorado, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Oates, Odell, Pool, Robinson, Rockwell, Romer, Satterwhite, Shores, Stephens, Thurston, Williams, York, Young and Mr Speaker—37.

Mr G. R. B. Hayes moved to strike out "fifty acres" and insert "twenty acres."

Mr Ryan offered an amendment to an amendment, to strike out "twenty acres" and insert "three acres."

Lost.

On the motion of G. R. B. Hayes, the ayes and noes were demanded by Messrs. G. R. B. Hayes, Murphy of Santa Clara and Moynihan, and the amendment was adopted, by the following vote:

AYES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Brown of Yuba, Carothers, Crigler, De Haven, Freeman, Fryer, Green, Haile, G. R. B. Hayes, Hubner, Hudson, Inman, Kelley, Koutz, Lewelling, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphataly, O'Connell, Power, Ryan, Sammons, Scarce, Shoemaker, Shores, Slicer and Thomas—37

NOES—Messrs. Appling, Blankenship, Calderwood, Doss, Eichelroth, Escandon, Gildea, Griswold, Hawley, Henley of Sonoma, Horan, Johnson, King, Lambert, Martin of Butte, McMurry of El Dorado, Merritt, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Oates,

Odell, Pool, Robinson, Rockwell, Romer, Satterwhite, Stephens, Thurston, Waldron, Williams, York, Young and Mr. Speaker—35.

Mr Lambert moved to amend, by striking out "twenty acres" and inserting "thirty acres"

On which Messrs G. R. B. Hayes, Moynihan and Lambert called for the ayes and noes, and the amendment was adopted, by the following vote:

AYES—Messrs. Appling, Blankenship, Brown of Yuba, Calderwood, Carothers, Doss, Eichelroth, Finney, Gildea, Griswold, Haile, Hawley, Henley of Sonoma, Horan, Hubner, Inman, Johnson, King, Lambert, Lewelling, Martin of Butte, McClaskey, McMurry of El Dorado, Merritt, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Oates, Odell, Pool, Robinson, Rockwell, Romer, Satterwhite, Shoemaker, Shores, Stephens, Thurston, Waldron, Williams, York, Young and Mr Speaker
— 44

NOES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Crigler, De Haven, Duffy, Escandon, Freeman, Green, G. R. B. Hayes, M. Hayes, Hudson, Kelley, Koutz, Martin of Siskiyou, McMillan, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphtaly, O'Connell, Power, Ryan, Scarce, Slicer and Thomas—29

[Mr. Gildea in the chair.]

The amendment as amended was adopted

Mr Lambert offered an amendment to section four, line twelve.

Adopted

Mr. Ryan offered an amendment, as follows: Amend by adding after the fourth section:

"Provided, that nothing in this Act shall be so construed as to permit said company to collect toll or dockage on any wharf or wharves built or to be built on said land, but that the State Harbor Commissioners shall collect the same and place it to the credit of the State."

On which the ayes and noes were demanded by Messrs. G. R. B. Hayes, Henley of Sonoma and Moynihan, and the House refused, by the following vote:

AYES—Messrs Andrews, Berry, Biggs, Brown of Amador, Fryer, Green, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Hubner, Hudson, Inman, Kelley, Koutz, Lewelling, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Miller of El Dorado, Moynihan, Murphy of Santa Clara, O'Connell, Power, Ryan, Slicer, Thomas and Waldron—28.

NOES—Messrs Appling, Blankenship, Brown of Yuba, Calderwood, Carothers, Crigler, Doss, Eichelroth, Escandon, Finney, Freeman, Gildea, Griswold, Haile, Hawley, Johnson, King, Lambert, Martin of Butte, McMurry of El Dorado, Miller of Marin, Mooney, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, Oates, Odell, Pool, Robinson, Rockwell, Romer, Satterwhite, Scarce, Shores, Stephens, Thurston, Williams, York and Young—40

Mr Oates asked to record his vote on the amendment, when Mr. Biggs objected, for the reason the member was outside the bar when the question was stated.

Mr Oates stated he was inside the bar when his name was called, whereupon the Speaker pro tem decided the member was entitled to vote

Mr. Biggs appealed, and the Chair was sustained.

Mr. Henley of Mendocino was granted indefinite leave of absence on account of sickness.

Mr. G. R. B. Hayes offered an amendment, as follows: Amend by striking out the words "fifty thousand dollars," wherever they appear in said section, and insert in lieu thereof the words "one hundred thousand dollars."

Lost.

Mr Carothers offered the following amendment: Strike out the words "and the expenditure of fifty thousand dollars," and insert "*provided*, that said railroad company shall complete ten miles of said road, as provided in section two of this Act"

Lost

Mr. Haile offered the following amendment: "And *provided* further, that no patent shall be issued to any land herein granted, until the conditions provided in the second section of this Act be complied with"

Lost.

Mr McMillan offered the following amendment: Add to section four, "If any Mongolian or Asiatic labor be employed in the construction of the said railroad, that all grants of salt marsh and tide lands shall be forfeited to the State"

On which the ayes and noes were demanded by Messrs. McMillan, Waldron and Murphy of Del Norte, and the amendment was rejected, by the following vote:

[Speaker in the chair.]

AYES—Messrs. Andrews, Crigler, Fortune, Gildea, Griswold, Haile, Hawley, M. Hayes, Henley of Sonoma, Hudson, Martin of Siskiyou, McMillan, McMurry of Trinity, Miller of El Dorado, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, O'Connell, Robinson, Rockwell, Ryan, Slicer and Thomas—24

NOES—Messrs. Appling, Biggs, Blankenship, Brown of Yuba, Calderwood, Carothers, De Haven, Doss, Eichelroth, Escandon, Finney, Freeman, Hubner, Inman, Kelley, King, Koutz, Lambert, Lewelling, Martin of Butte, McClaskey, McMurry of El Dorado, Miller of Marin, Mooney, Naphtaly, Newell, Oates, Odell, Pool, Power, Romer, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Thurston, Waldron, Williams, York, Young and Mr. Speaker—42

Mr. Martin of Butte offered an amendment to section four
Adopted

Mr. Moynihan moved to indefinitely postpone the bill.

On which Messrs. Moynihan, Slicer, and Martin of Siskiyou called for the ayes and noes, and the House refused, by the following vote:

AYES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Crigler, De Haven, Green, G. R. B. Hayes, Kelley, Koutz, Martin of Siskiyou, McMillan, McMurry of Trinity, Miller of El Dorado, Moynihan, O'Connell, Power, Ryan, Slicer and Thomas—20.

NOES—Messrs. Appling, Blankenship, Brown of Yuba, Calderwood, Carothers, Doss, Eichelroth, Escandon, Finney, Fortune, Freeman, Fryer, Gildea, Haile, Hawley, M. Hayes, Henley of Sonoma, Horan, Hubner,

Hudson, Inman, Johnson, King, Lambert, Lewelling, Martin of Butte, McClaskey, McMurry of El Dorado, Merritt, Miller of Marin, Mooney, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, Odell, Pool, Robinson, Rockwell, Romer, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Stephens, Thurston, Waldron, Williams, York, Young and Mr. Speaker—54

At five o'clock P. M. Mr. Moynihan moved to adjourn.

Lost

Mr. Berry moved to postpone the further consideration of the subject until to-morrow, at eleven o'clock A. M.

Mr. Gildea moved the previous question

On which the ayes and noes were demanded by Messrs. G. R. B. Hayes, Moynihan and Green, and the main question was ordered, by the following vote:

AYES—Messrs. Appling, Calderwood, Carothers, Crigler, Doss, Eichelroth, Escandon, Finney, Fortune, Freeman, Griswold, Haile, Hawley, Henley of Sonoma, Hubner, King, Koutz, Lambert, Martin of Butte, McMurry of El Dorado, Merritt, Miller of Marin, Mooney, Munday, Oates, Odell, Pool, Robinson, Rockwell, Romer, Sammons, Satterwhite, Scarce, Shores, Stephens, Thurston, Waldron, Williams, York, Young and Mr. Speaker—41

NOES—Messrs. Andrews, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, De Haven, Fryer, Gildea, Green, G. R. B. Hayes, M. Hayes, Inman, Johnson, Kelley, Lewelling, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Miller of El Dorado, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, O'Connell, Power, Ryan, Shoemaker, Slicer and Thomas—31.

The motion to postpone the further consideration of the bill was lost.

On the engrossment of the bill, the ayes and noes were demanded by Messrs. Moynihan, Brown of Amador and Slicer, and the bill was ordered to engrossment, by the following vote:

AYES—Messrs. Appling, Blankenship, Calderwood, Carothers, Doss, Eichelroth, Escandon, Finney, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, Hawley, M. Hayes, Henley of Sonoma, Hubner, Hudson, Inman, Johnson, King, Lambert, Martin of Butte, McMurry of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Newell, Oates, Odell, Pool, Robinson, Rockwell, Romer, Sammons, Satterwhite, Scarce, Shoemaker, Stephens, Thurston, Waldron, Williams, York, Young and Mr. Speaker—48.

NOES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Brown of Yuba, Crigler, De Haven, Green, G. R. B. Hayes, Kelley, Koutz, Lewelling, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Murphy of Santa Clara, Naphtaly, O'Connell, Power, Ryan, Shores, Slicer and Thomas—26

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, February 16th, 1870. }

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Rev. Mr. Miller.
Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Horan, from the Committee on Claims, made the following report:

MR. SPEAKER: Your committee, to whom was referred Assembly Bill No. 288—An Act for the relief of John L. Riggs, Tax Collector of Del Norte County—having considered the same, respectfully report said bill back and recommend that it pass

HORAN, Chairman.

Mr. Henley of Sonoma, from the Committee on Federal Relations, made the following report:

MR. SPEAKER: The Committee on Federal Relations, to whom was referred the petition of certain citizens of Santa Clara County, praying for the establishment of a daily mail service between the City of San José and the Town of Almaden, in said county, hereby report the same back with a recommendation of the adoption of the following resolution in relation thereto:

Resolved, That our Representatives in Congress be and they are hereby requested, and our Senators instructed, to procure the establishment of a daily mail service between the City of San José and the Town of Almaden, in Santa Clara County, California; and that his Excellency the Governor of the State of California transmit copies of this resolution to our Senators and Representatives in Congress

HENLEY (of Sonoma), Chairman.

Mr. King, from the Committee on Corporations, made the following report:

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 242—An Act to incorporate the City of Monterey—have had the same under consideration and report it back, with amendments, and recommend its passage.

KING, Chairman

Mr. Lewelling, from the Committee on Enrolment, made the following report:

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Concurrent

Resolution No. 11—For the establishment of a mail route from San Rafael, Marin County, to Petaluma, Sonoma County.

Also, Assembly Bill No. 23—An Act to authorize Wm. S. Ferguson, and assigns, to construct and maintain a chute and landing, at or near Fish Rock Landing, Mendocino County, and to charge and collect tolls for the use of the same.

Also, Assembly Bill No. 40—An Act to confirm order number eight hundred and eighty-three of the Board of Supervisors of the City and County of San Francisco.

Also, Assembly Bill No. 46—An Act to amend an Act to authorize Lyman Leslie, Paul K. Hubbs, and their associates, successors and assigns, to build and maintain a wharf at the City of Vallejo, in the County of Solano, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 111—An Act to provide for the construction of a wagon turnpike road from a point at or near Ukiah City, in Mendocino County, to a point at or near Cloverdale, in Sonoma County.

Also, Assembly Bill No. 155—An Act to amend an Act to separate the office of County Recorder from that of County Clerk in the County of Alameda, and to provide for the election of a County Recorder therein, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 176—An Act to authorize the Board of Trustees of the Vallejo School District, in the County of Solano, to borrow money for school purposes.

Also, Assembly Bill No. 182—An Act to authorize the Controller of State to credit the Treasurer of Tuolumne County with certain State poll tax receipts.

Also, substitute for Assembly Bill No. 206—An Act to legalize and make valid the election of certain officers and prescribe their duties, in and for the County of Amador.

Also, Assembly Bill No. 281—An Act granting leave of absence from the State to D. B. Spagnoli, County Clerk of Amador County.

Also, Assembly Bill No. 280—An Act to authorize the incorporation of yacht clubs.

Also, Assembly Bill No. 5—An Act for the relief of Patrick Campbell.

And this day, at ten o'clock and fifty-five minutes A. M., presented the same to the Governor for his approval.

LEWELLING, for Committee.

Mr. Lambert, from the Committee on Ways and Means, made the following report:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No. 389—An Act to pay the claim of Thomas R. Eldredge—have had the same under consideration and report the bill back to the Assembly and recommend its passage.

The committee have also considered Assembly Bill No. 366—An Act to amend section eighty-one of an Act to provide revenue for the support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one—and report the bill back to the Assembly and recommend its indefinite postponement.

LAMBERT, Chairman.

MOTIONS AND RESOLUTIONS

Mr Stephens offered a concurrent resolution authorizing the State Printer to print four thousand copies of the debate in the Senate and Assembly on the proposed Fifteenth Amendment to the Constitution of the United States, and moved a suspension of the rules to consider the same now.

The motion to suspend the rules was lost and the resolution laid over one day

● Mr. Moynihan offered the following resolution :

Resolved, That the Clerk of the House be instructed to return the bill reported, on yesterday, by the Committee on Commerce and Navigation, to the said committee, and the said committee is instructed to make their final report on the said bill to-morrow morning

On motion of Mr. Rockwell, the resolution was laid on the table
Mr. Haile offered the following :

Resolved, That the Special Committee on State Normal School are hereby requested to report to this House on Monday next.

Adopted

Mr. Rockwell rose to a question of privilege, in reference to charges made by a member of the Committee on Commerce and Navigation, that notice had not been given of committee meetings, and sent up an affidavit of the Committee Clerk, setting forth the fact that all the members of the committee were notified of a special meeting on Monday evening last.

The affidavit was read

Mr. King was excused until two o'clock P. M.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER, }
February 11th, 1870 }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on the eighth of February last, passed Senate Bill No. 250—An Act to authorize Eliza Madison Hartley, administratrix of the estate of Henry Hare Hartley, deceased, to sell real property belonging to said estate

And, on the ninth instant, adopted Senate Concurrent Resolution No 24—Relative to taxing distilleries.

Also, adopted Senate Concurrent Resolution No. 19—Relative to a mail route from San Diego to Salt Lake.

Also, adopted Senate Concurrent Resolution No. 18—Relative to a mail route in Butte County

And, on this day, concurred in Assembly Concurrent Resolution No. 32—Relative to the appointment of a joint committee to prepare a report on uniform ballots

And, on this day, passed, under suspension of the rules, Assembly Bill No 280—An Act to authorize the incorporation of yacht clubs

Also, on this day, passed Assembly Bill No. 281—An Act granting

leave of absence from the State to D. B. Spagnoli, County Clerk of Amador County.

And, on Wednesday last, passed Senate Bill No. 242—An Act to transfer funds to the Common School Fund of the County of Butte.

Also, Senate Bill No. 239—An Act granting to the North Beach and Mission Railroad Company certain rights therein named.

Also, Senate Bill No. 333—An Act to authorize the Board of Supervisors of Plumas County to build certain wagon roads in said county.

And, on this day, passed Assembly Bill No. 5—An Act for the relief of Patrick Campbell.

Also, Assembly Bill No. 176—An Act to authorize the Board of Trustees of the Vallejo School District, in the County of Solano, to borrow money for school purposes.

CURTIS,
Assistant Secretary.

SENATE CHAMBER, }
February 15th, 1870. }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on the ninth instant, passed Senate Bill No. 303—An Act to legalize the rates of fare of the City Railroad Company with other street railroad companies in the City and County of San Francisco.

And, on the eleventh instant, passed Senate Bill No. 134—An Act to repeal an Act entitled an Act for the encouragement of agriculture and manufactures in California, approved April twenty-fifth, eighteen hundred and sixty-two, and to repeal an Act entitled an Act for the encouragement of silk culture in this State, approved March thirtieth, eighteen hundred and sixty-eight.

And adopted, February eleventh, Senate Concurrent Resolution No. 27—Relative to a mail route in Santa Clara County.

And, on the tenth instant, passed Senate Bill No. 229—An Act to provide for the settlement of statements on appeal.

Also, on same day, passed Senate Bill No. 126—An Act to ratify and confirm a certain conveyance made by the Board of Education of the City and County of San Francisco.

And, on the ninth, passed Senate Bill No. 187—An Act for the relief of Caleb Dorsey, District Attorney of Tuolumne County.

And, on the eighth instant, passed Senate Bill No. 67—An Act to amend an Act to authorize the Board of Supervisors of San Joaquin County to issue certain bonds.

And, on the tenth instant, passed Senate Bill No. 216—An Act to repeal an Act entitled an Act supplementary to the Act entitled an Act concerning crimes and punishments.

And, on yesterday, passed Senate Bill No. 267—An Act to amend an Act to authorize the Board of Supervisors of Yuba County to levy and collect tolls on the Marysville and Brown's Valley Turnpike.

Also, Senate Bill No. 240—An Act granting to the North Beach and Mission Railroad Company certain rights therein named.

Also, Senate Bill No. 310—An Act amendatory of and supplementary to an Act entitled an Act to provide for the construction of the State Capitol.

Also, Senate Bill No. 259—An Act to amend an Act entitled an Act defining the time of commencing civil actions.

Also, Senate Bill No. 116—An Act to fix and regulate the salaries of

the Auditor's clerk and Deputy Treasurers of the City and County of San Francisco

Also, Senate Bill No. 262—An Act to provide for an official survey of the swamp and overflowed tide and swamp lands in Marin County.

Also, Senate Bill No. 186—An Act to extend an Act entitled an Act concerning District Court Reporters to the Seventeenth Judicial District

Also, Assembly Bill No. 323—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino.

And, on yesterday, adopted a substitute for Assembly Concurrent Resolution No. 10—Relative to establishing a mail route and Post-office

Also, Assembly Concurrent Resolution No. 5—Relative to establishing a mail route in Fresno County

And refused to adopt Assembly Concurrent Resolution No. 7—Relative to directing the Surveyor-General not to accept more applications for land.

CURTIS,

Assistant Secretary.

SENATE CHAMBER, }
February 14th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on February eighth, eighteen hundred and seventy, passed Senate Bill No. 236—An Act to provide funds for the School Department of the City and County of San Francisco

MARDIS,

Assistant Secretary.

SENATE CHAMBER, }
February 14th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on the eighth day of February, passed Senate Bill No. 117—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

MARDIS,

Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 232, above reported, read first and second times and referred to the Butte County delegation.

Senate Concurrent Resolution No. 18, above reported, read first and second times and referred to the Butte County delegation

Senate Bill No. 333, above reported, read first and second times and referred to the delegations from Lassen and Plumas Counties.

Senate Bill No. 250, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 216, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 229, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No 259, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 186, above reported, read first and second times and referred to the Judiciary Committee

Senate Concurrent Resolution No. 24, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Concurrent Resolution No. 19, above reported, read first and second times and referred to the Committee on Federal Relations.

Senate Bill No. 239, above reported, read first and second times and referred to the San Francisco delegation

Senate Bill No 116, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 240, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 303, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 117, above reported, read first and second times and referred to the San Francisco delegation.

Senate substitute for Assembly Concurrent Resolution No 10, above reported, read first and second times and referred to the Shasta and Siskiyou delegations

Senate Bill No. 67, above reported, read first and second times and referred to the San Joaquin delegation

Senate Bill No 167, above reported, read first and second times and ordered on the general file

Senate Bill No 310, above reported, read first and second times and ordered on the general file.

Senate Bill No 236, above reported, read first and second times and ordered on the general file

Substitute for Senate Bill No. 134, above reported, read first and second times and ordered on the general file.

Senate Bill No 126, above reported, read first and second times and referred to the Committee on Education.

Senate Bill No. 262, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Senate Bill No 267, above reported, read first and second times and referred to the Yuba delegation

Senate Concurrent Resolution No. 27, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Mr. Eichelroth, by leave, offered a resolution proposing an amendment to rule seventy of this House.

Laid over one day, under the rule.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Shores—An Act concerning revenue.

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

By Mr. Duffy—An Act concerning roads and highways in the County of Sacramento

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

By Mr. Miller of Marin—An Act to authorize the Board of Supervi-

sors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the construction of wagon roads in said county.

Read first and second times and referred to the Committee on Roads and Highways.

By Mr. Eichelroth—An Act to appropriate money for the relief of General John A. Sutter

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

By Mr. Haile—An Act to authorize the Board of Supervisors of Solano County to levy an additional road tax

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

By Mr. Merritt—An Act to amend an Act supplementary to an Act to incorporate the City of Marysville, approved March second, eighteen hundred and fifty-seven, and other Acts amendatory thereto

Read first and second times and referred to the Yuba delegation

By Mr. G. R. B. Hayes—An Act to determine the lines and grades of streets, avenues, highways and lanes in the City and County of San Francisco.

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

By Mr. M. Hayes—An Act to prohibit and punish seduction.

Read first and second times and referred to the Committee on Public Morals

By Mr. De Haven—An Act to amend an Act entitled an Act to incorporate the Town of Union, approved February second, eighteen hundred and sixty-eight.

Read first and second times and ordered on the general file

By Mr. McMillan—An Act concerning the State Prison of the State of California

Read first and second times and referred to the State Prison Committee, and ordered printed.

By Mr. Doss—An Act to regulate the time for commencing assessments in the counties of this State.

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

Also, an Act to provide for the appointment of a State Chemist and to define his duties, for and within the State of California

Read first and second times and referred to the Hospital Committee

By Mr. Odell—An Act to amend the Act of March twenty-sixth, eighteen hundred and sixty-six, entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property.

Read first and second times and referred to the Sacramento delegation

By Mr. Stephens—An Act to provide for the payment of the interest upon certain Controller's warrants

Read first and second times and referred to the Judiciary Committee

By Mr. Mooney—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State

Read first and second times and referred to the Judiciary Committee

By Mr. Martin of Butte—An Act to amend section nine hundred and thirty-eight of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee

By Mr. Duffy—An Act to provide an official residence for the Governor of this State.

Read first and second times and referred to the Committee on Public Buildings and Grounds

REPORT

Mr Miller of Marin, from the Committee on Mileage, by leave, made the following report:

MR. SPEAKER: The Committee on Mileage beg leave to report the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrants on the Contingent Fund of the Assembly in favor of the following named parties, for the sums set opposite their names, as mileage to the State Prison and back, as members of committee:

| Names. | Miles | Amount. |
|---------------------------|-------|---------|
| Crigler | 258 | \$51 60 |
| Stephens | 258 | 51 60 |
| Thurston | 258 | 51 60 |
| McMillan | 258 | 51 60 |
| Martin of Siskiyou... .. | 258 | 51 60 |
| Miller of Marin | 258 | 51 60 |
| Henley of Mendocino | 258 | 51 60 |

MILLER (of Marin), Chairman:

The resolution was adopted
[Mr. Biggs in the chair]

GENERAL FILE

Assembly Bill No. 324—An Act concerning estrays and animals found running at large in the County of Santa Cruz

Ordered engrossed

Assembly Bill No 245—An Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto

On motion of Mr Haile, the printed bill was substituted for the written bill

Mr Satterwhite moved to make the bill the special order for Friday, at two o'clock p. m.

Mr Mooney offered an amendment, to fix the time this evening.

Amendment and motion lost

On motion of Mr Haile, "Solano County" was inserted in section two

Mr Merritt moved to strike out "Yuba" from the second section.

Mr Andrews moved that the House go into the Committee of the Whole to consider the bill. Mr. Biggs in the chair

Lost, on a division

Mr Murphy of Santa Clara moved to make the bill the special order for Thursday, at two o'clock p. m.

Lost

At half-past twelve o'clock p. m. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.
Speaker pro tem. in the chair.

GENERAL FILE RESUMED.

Assembly Bill No. 245 continued.

Substitute adopted

The amendment of Mr. Merritt to section two was lost.

Mr. Mooney moved to strike out the second section of the bill.

Mr. Naphtaly offered an amendment to section two

Accepted.

SPECIAL ORDER

The special order for two o'clock P. M., Senate Bill No. 50—An Act to provide for the appointment of a Commissioner to visit the Eastern insane asylums, and to define his powers and duties—was taken up

Mr. Naphtaly moved to postpone the special order to conclude the consideration of Assembly Bill No. 245.

Lost, on a division.

Mr. Haile offered the following amendment—amendment to section one, to read as follows:

“The Resident and Assistant Physicians in charge of the Insane Asylum of California are authorized to appoint and commission, on the second Monday in April, A. D. eighteen hundred and seventy, some suitable person a Commissioner, who shall be a graduate in medicine and shall have practiced his profession at least ten years from the date of his diploma, to visit the principal insane asylums of the United States, Great Britain, Ireland, France and Germany, and to perform the duties herein prescribed.”

Lost

Mr. Duffy offered the following amendment: Amend section four, by striking out “travelling expenses”

Lost

Mr. Munday offered an amendment, as follows: Amend section four, by striking out “four hundred dollars” and inserting “two hundred dollars”

Mr. Stephens moved the previous question.

Sustained.

The amendment offered by Mr. Munday was lost.

On the recommendation of the committee to indefinitely postpone the bill, the ayes and noes were demanded by Messrs. Haile, Miller of El Dorado and Thurston, and the House refused, by the following vote:

AYES—Messrs. Escandon, Green, Haile, Hawley, Henley of Sonoma, Hihn, Hubner, Hudson, Johnson, Koutz, Miller of El Dorado, Munday, Newell, Odell, Pool, Power, Robinson, Thurston, Walden, Waldron and Williams—21.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Yuba, Carothers, Colonel, Crigler, De Haven, Doss, Duffy, Finney, Fortune, Freeman, Fryer, Gildea, Griswold, G. R. B. Hayes, M. Hayes, Inman, Kelley, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou,

McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of Marin, Mooney, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, Rockwell, Sammons. Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Young and Mr Speaker—48.

Bill read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs Miller of El Dorado, Haile and Moynihan, and it was passed, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Yuba, Colonel, De Haven, Escandon, Finney, Fortune, Freeman, Fryer, Gildea Griswold, G R B Hayes, Henley of Sonoma, Horan, Inman, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of Trinity, Merritt, Miller of Marin, Mooney, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, Rockwell, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Young and Mr Speaker—43

NOES—Messrs Crigler, Green, Haile, Hawley, Hihn, Hubner, Hudson, Johnson, Kelley, King, Miller of El Dorado, Munday, Odell, Pool, Power, Robinson, Walden, Waldron and Williams—19.

Mr Carothers offered to amend the title of the bill, by adding the words "and European," after the word "Eastern "

On which the ayes and noes were demanded by Messrs G. R B Hayes, Lambert and Crigler, and the House refused to amend the title, by the following vote :

AYES—Messrs Appling, Carothers, Duffy, Finney, Gildea, Haile, Inman, Koutz, Lewelling, Miller of El Dorado, Newell, Odell, Power, Robinson, Walden, Waldron and Williams—17.

NOES—Messrs Andrews, Berry, Biggs, Blankenship, Brown of Yuba, Colonel, Crigler, Doss, Escandon, Fortune, Freeman, Fryer, Griswold, Hawley, G R B Hayes, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Kelley, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of Trinity, Merritt, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Oates, Pool, Rockwell, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Thurston, Young and Mr Speaker—47.

Title approved.

Mr. Newell gave notice that on to-morrow he would move to reconsider the vote whereby the bill passed

Mr Blankenship moved to take Assembly Bill No 169 out of its order on the file.

Lost.

GENERAL FILE RESUMED.

Assembly Bill No. 245 continued

Mr Finney offered the following amendment : "*Provided*, that every foreigner requiring the aid of a Court, whether for the purpose of becoming naturalized or enforcing any suit, claim or demand, shall be

exempted from paying the fees mentioned in this Act, and no officer shall be entitled to charge or demand any fees for such service "

Lost.

Mr. Koutz offered an amendment to the amendment, as follows : Amend section two, by striking out "three dollars." wherever it occurs, and insert "two dollars;" and strike out all after the words "preliminary proceedings," in line five

Lost.

Mr Odell offered the following amendment: "*Provided*, that the several counties of this State shall pay the Clerks the sum of one dollar and fifty cents for each certificate of declaration of intention to become a citizen, and one dollar and fifty cents for each certificate of naturalization "

Lost

When the amendments to section two were adopted

Mr. Green offered an amendment to section four

Mr. Murphy of Santa Clara moved to make the bill the special order for next Friday, at eleven o'clock A. M.

Mr Martin of Butte offered the following resolution as an amendment to the motion :

Resolved, That Assembly Bill No. 245 be placed at the head of the file each day until it is finally disposed of

Adopted, and the motion. as amended, agreed to.

Mr York offered an amendment to the amendment of Mr Green

Lost.

Mr Green was allowed to withdraw his amendment temporarily.

Mr De Haven offered an amendment to section four

Adopted.

Mr. Henley of Sonoma moved an amendment, to strike out "Mendocino" wherever it occurred in section four

Adopted

Mr. Martin of Butte offered an amendment as follows: Amend lines twenty-nine, fifty-three and sixty-three, section four, page three, by striking out "twenty cents" and inserting "twenty-five cents," as in original bill.

Lost

Mr Satterwhite offered an amendment.

Adopted

Mr Lewelling offered an amendment.

Adopted

Mr. Calderwood offered the following: Amend section four, line seventy-four, by inserting "*provided*, that where the appraised value of the estate does not exceed one thousand dollars, no fees shall be allowed after the filing of said appraisement."

Lost.

At four o'clock and thirty-five minutes P. M. Mr Murphy of Santa Clara moved to adjourn

On which the ayes and noes were demanded by Messrs Doss, Odell, and Murphy of Del Norte, and the House adjourned, by the following vote:

AYES—Messrs Andrews Appling, Blankenship, Brown of Yuba, Carothers, Coronel, De Haven, Eichelroth, Escandon, Finney, Fryer, Green,

Griswold, Haile, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Hihn, Horan, Hudson, Inman, Koutz, Lambert, Lewelling, Martin of Butte, McClaskey, Merritt, Miller of El Dorado, Miller of Marin, Munday, Murphy of Santa Clara, Naphtaly, Oates, Pool, Power, Ryan, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Stephens, Thurston, Waldron, Williams, York, Young and Mr. Speaker—48.

NOES—Messrs. Berry, Calderwood, Crigler, Doss, Duffy, Fortune, Freeman, Gildea, Hawley, Kelley, McMurry of El Dorado, McMurry of Trinity, Murphy of Del Norte and Klamath, Odell, Robinson, Slicer, Thomas and Walden—18.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, February 17th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Murphy of Del Norte was granted leave of absence for one day and Messrs. Rockwell and Brown of Amador each for one day, on account of sickness. A. L. Henshaw, Journal Clerk, was also granted indefinite leave of absence on account of sickness.

PETITIONS.

Mr. Carothers presented a petition from citizens of Contra Costa County, requesting the passage of a law prohibiting the trapping of quail in the County of Contra Costa.

Received and referred to the Committee on Agriculture.

Mr. Naphtaly presented a letter from parties in San Francisco, containing a protest against the passage of a bill to confirm certain ordinances of the Board of Supervisors of that city for the change of grade on Beal street.

Received and referred to the San Francisco delegation.

Mr. Walden presented a petition from citizens and taxpayers of Stanislaus County, asking the passage of a law to refer the location of the county seat of that county to the voters thereof

Received and referred to the Committee on Counties and County Boundaries.

Also, a petition from citizens of Stanislaus County, praying for the repeal of the fence law.

Received and referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Mr. Satterwhite, from the Committee on Public Lands, made the following report :

MR. SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 336—An Act to legalize the acts and proceedings of the Mayor and Common Council of the City of Sonoma—report the same back with a substitute, and recommend the passage of the substitute.

Also, Assembly Concurrent Resolution No. 34—Concerning lands in the desert west of Fort Yuma—report the same back and recommend its passage.

Also, Senate Bill No. 385—An Act to encourage the supply of fresh water on the desert west of Fort Yuma—and recommend that it do not pass. This bill proposes to donate all of said desert to an individual, while the State herself has no title to the same.

SATTERWHITE, Chairman.

Mr. Kelley, from the Committee on Agriculture, made the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 54—An Act to amend an Act entitled an Act for the protection of game, approved May thirteenth, eighteen hundred and fifty-four—have had the same under consideration, and report it back with a substitute, and recommend the passage of the substitute.

KELLEY, Chairman

Mr. Naphtaly, from the Judiciary Committee, made the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred Senate Bill No. 142—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty one—respectfully report that they have had said bill under consideration, and report the same back and recommend the passage of the bill.

They have also considered Senate Bill No. 250—An Act to authorize Eliza Madison Hartley, administratrix of the estate of Henry Hare Hartley, deceased, to sell real property belonging to said estate—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 397—An Act to provide for the payment of the interest upon certain Controller's warrants—and respectfully report the same back, and recommend that the bill be referred to the Swamp Land Committee.

They have also considered Senate Bill No. 216—An Act to repeal an Act entitled an Act supplementary to the Act entitled an Act concerning crimes and punishments, approved April first, eighteen hundred and sixty-four—and recommend its passage.

They have also considered Assembly Bill No. 312—An Act to amend section thirty-six of an Act entitled an Act to provide revenue for the support of the Government of this State, passed February twenty-fifth, eighteen hundred and fifty—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 326—An Act to legalize the assessment of taxes in the County of Contra Costa for the fiscal years A. D. eighteen hundred and sixty-six, eighteen hundred and sixty-seven, eighteen hundred and sixty-eight and eighteen hundred and sixty-nine—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 184—An Act to prevent forest and field conflagration—and respectfully report the same back with an amendment, and recommend its passage as amended.

They have also considered Assembly Bill No. 85—An Act to repeal an Act entitled an Act to provide for the registration of the citizens of this State and for the enrolment in the several election districts of all the legal voters thereof, and for the prevention and punishment of frauds affecting the elective franchise, approved March ninth, eighteen hundred and sixty-six, and to repeal an Act entitled an Act to amend an Act entitled an Act to provide for the registration of the citizens of this State, etc., approved March thirtieth, eighteen hundred and sixty-eight—and respectfully report that, on examination of the said bill, it was found that its passage, as proposed, would leave the State without proper election laws; and, therefore, your committee proposed an amendment to the bill, reviving all those election laws which existed and were in force prior to the passage of the so-called Registry Act. But as to the propriety of repealing the Registry Act, the committee make no recommendation.

NAPHTALY, Chairman.

Mr King, from the Committee on Corporations, made the following report:

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 334—An Act to amend an Act concerning corporations—have had the same under consideration and report it back and recommend its passage.

KING, Chairman.

Mr. Henley of Sonoma, from the Committee on Federal Relations, made the following reports:

MR. SPEAKER: The Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 14—Asking of the United States Government the donation of certain lands situate in the County of Siskiyou—beg leave to report the same back without recommendation

HENLEY (of Sonoma), Chairman.

MR. SPEAKER: The Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 31—Asking the establishment of a mail route in Napa and Lake Counties—beg leave to report the same back and recommend its passage.

HENLEY (of Sonoma), Chairman.

Mr. Haile, from the Solano delegation, made the following report:

MR. SPEAKER: Your committee, composed of the Solano delegation, to whom was referred Assembly Bill No. 404—An Act to authorize the Board of Supervisors of Solano County to levy an additional road tax—have had the same under consideration, report it back and recommend its passage.

HAILE, for Delegation

Mr. Merritt, from the Yuba delegation made the following report:

MR. SPEAKER: The Yuba delegation, to whom was referred Senate Bill No. 267—An Act to authorize the Board of Supervisors of Yuba County to levy and collect tolls on the Marysville and Brown's Valley Turnpike—have had the same under consideration and respectfully report the same back and recommend its passage.

MERRITT, for Delegation.

Mr. G. R. B. Hayes, from the San Francisco delegation, made the following report:

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 39—An Act to reorganize the Police Department of San Francisco, to promote its efficiency and prohibit the removal of police officers for political opinions; also, Assembly Bill No. 29—An Act to create and establish a Board of Metropolitan Police Commissioners in and for the City and County of San Francisco—have had the same under consideration, and herewith report them back with a substitute and recommend the passage of the substitute.

They have also considered Senate Bill No. 165—An Act in relation to the Omnibus Railroad Company in the City and County of San Francisco—and recommend its passage as amended.

Also, Senate Bill No. 104—An Act to amend an Act entitled an Act to amend an Act supplementary to an Act entitled an Act to provide for a street railroad within the City and County of San Francisco, and other matters relating thereto, approved April twenty-first, eighteen hundred and sixty-three, the Act hereby amended having been approved March thirtieth, eighteen hundred and sixty-eight—passage recommended.

Also, Senate Bill No. 239—An Act granting certain privileges to the North Beach and Mission Railroad Company; also, Assembly Bill No. 350—An Act authorizing the condemnation of private property within the limits of the public streets of the City and County of San Francisco, within the Laguna survey—which they herewith report back and recommend their passage.

G. R. B. HAYES, for Delegation

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT. }
Sacramento, February 16th, 1870 }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly

Bill No. 206—An Act to legalize and make valid the election of certain officers, and to prescribe their duties, in and for the County of Amador.

Also, Assembly Bill No. 280—An Act to authorize the incorporation of yacht clubs

Also, Assembly Bill No 155—An Act to amend an Act entitled an Act to separate the office of County Recorder from that of County Clerk in the County of Alameda, and to provide for the election of a County Recorder therein, approved March thirtieth eighteen hundred and sixty-eight

Also, Assembly Bill No. 182—An Act to authorize the Controller of State to credit the Treasurer of Tuolumne County with certain State poll tax receipts.

Also, Assembly Bill No 34—An Act concerning public roads and highways in Monterey County.

H H HAIGHT,
Governor

MOTIONS AND RESOLUTIONS

Mr. G R. B. Hayes moved that substitute for Assembly Bills Nos 29 and 39 be printed.

Carried

The following concurrent resolution, offered on yesterday, was taken up.

Resolved by the Assembly, the Senate concurring, That the State Printer be directed to print four thousand copies of the speeches delivered in the two Houses on the Fifteenth Amendment—twenty-five hundred for the Assembly and fifteen hundred for the Senate.

Adopted

The following resolution, offered by Mr Eicheloth on yesterday, was taken up:

Resolved, That ^{the} rule seventy of the House be amended by striking out all after the words "within the bar of the House," and insert, "it shall be the duty of the Doorkeeper to prohibit all persons coming within the bar of the House, unless invited by the Speaker, at the request of some members present, and to arrest for contempt all persons outside the bar or in the gallery found in loud conversation, or otherwise making a noise to the disturbance of the House."

Mr. Merritt offered the following amendment: "*Provided*, however, that ex-State officers, ex-Senators and ex-Assemblymen, with the Clerks and attachés of the Senate and Assembly, be not included in the provisions of this resolution"

On motion of Mr. Biggs, the whole matter was indefinitely postponed.

Mr. Hihn offered a resolution, to pay H W Kind and George D Little fifteen dollars each, for services performed by them for the Committee on Fees and Salaries.

Referred to the Committee on Contingent Expenses

Mr. Biggs offered the following resolution:

Resolved, That the Committee on Commerce and Navigation be requested to report to this House, by Monday next, by bill or otherwise, upon the resolutions referred to said committee in relation to setting

aside a portion of the State's interest in the water front of San Francisco, upon which wharves and warehouses may be erected for the free landing and storage of California produce.

Adopted.

Mr Martin of Siskiyou offered a resolution requesting the Committee on Public Accounts and Expenditures to report within one week the amount of all bills audited and allowed by them to the date of their report

Laid over one day.

Mr. Doss offered the following resolution :

Resolved, That the Committee on Education be allowed a Clerk, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Adopted.

Mr. Stephens offered the following resolution :

Resolved, That the House adjourn at half-past twelve o'clock P. M., in respect to the memory of E. M. Howison, deceased, late Deputy in the Controller's office.

Adopted unanimously.

Mr Newell, by leave, withdrew his notice to move a reconsideration of the vote passing Senate Bill No. 50, on yesterday.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER,
February 16th, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on February tenth, passed substitute for Senate Bill No. 63—An Act to amend an Act concerning divorces, passed March twenty-fifth, eighteen hundred and fifty-one, and an Act supplementary thereto, approved April twenty-fourth, eighteen hundred and fifty-seven.

And, on yesterday, passed substitute for Senate Bill No. 167—An Act to extend the operation of the Act concerning trade marks and names, passed April eighth, eighteen hundred and sixty-three.

Also, Senate Bill No. 341—An Act supplemental to an Act to regulate the care and maintenance of the indigent sick of Yuba County.

Also, Senate Bill No. 263—An Act to confirm a certain ordinance and contract relating to lighting the streets of Oakland.

Also, Senate Bill No. 319—An Act to authorize parties herein named the right to construct and maintain a wharf in Solano.

Also, substitute for Senate Bill No. 145—An Act to authorize William Thompson, J. M. Martin, and associates, to build and maintain a wharf in Vallejo, County of Solano.

Also, Senate Bill No. 280—An Act amendatory and supplemental to an Act to authorize the Judges of Supreme Court to employ a Secretary, approved April twenty-third, eighteen hundred and fifty-eight.

Also, Senate Bill No. 109—An Act to settle and pay the expenses of the Geological Survey

Also, Senate Bill No. 356—An Act to provide military instruction in the University of California, and to authorize the Governor to call into service the retired officers of University-Cadets in case of war or insurrection

Also, Assembly Bill No. 11—An Act for the relief of Green T. Martin

Also, substitute for Assembly Bill No. 66—An Act for the relief of W. V. McGarvey.

Also, amended and passed Assembly Bill No. 166—An Act for the relief of Samuel Clayton.

Also, on yesterday, passed Senate Bill No. 394—An Act to fix the terms of the District Court of the First Judicial District of the State of California.

And, on this day, concurred in Assembly Concurrent Resolution No. 33—Relative to correcting an error in the enrolled copy of Assembly Bill No. 297.

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
February 16th, 1870 }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, passed Senate Bill No. 405—An Act to amend an Act entitled an Act for the protection of game, passed May fifteenth, eighteen hundred and fifty-nine

Also, passed Senate Bill No. 324—An Act to authorize the Board of Supervisors of Santa Barbara County to pay the claim of Asa Porter and Augustine Janssens

And indefinitely postponed Assembly Bill No. 33—An Act to authorize the Board of Supervisors of Humboldt County to transfer moneys from one fund to another, and provide for the disposition of the same.

And, on this day, passed Senate Bill No. 83—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one

Also, passed Senate Bill No. 90—An Act to authorize Edward Hackett, his associates and assigns, to build and maintain a wharf on the Bay of San Francisco

Also, passed Senate Bill No. 357—An Act to confirm the action of the Board of Trustees of the City of Vallejo, in relation to certain privileges granted to the Vallejo City Water Company.

Also, passed Senate Bill No. 221—An Act providing for the adoption of minors and the legitimizing of children born out of wedlock.

Also, passed Senate Bill No. 154—An Act authorizing Hiram Tubbs and others to construct and operate a street railroad in the County of Alameda

Also, amended and passed Assembly Bill No. 44—An Act concerning roads and highways in the County of Humboldt.

Also, passed Assembly Bill No. 255—An Act to amend an Act entitled an Act to provide for the erection of county buildings in the County of Lake.

Also, passed Assembly Bill No. 181—An Act for the relief of the District Collectors of Revenue Districts One Two, Three and Four, in Tuolumne County

ROBERTS.
Secretary

CONSIDERATION OF SENATE MESSAGES

Substitute for Senate Bills Nos. 63 and 169, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 280, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 109, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 394, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 83, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 221, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 341, above reported, read first and second times and referred to the Yuba delegation

Senate Bill No. 263, above reported, read first and second times and referred to the Alameda County delegation

Substitute for Senate Bill No. 154, above reported, read first and second times and referred to the Alameda County delegation.

Substitute for Senate Bill No. 145, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Senate Bill No. 319, above reported, read first and second times and referred to the Committee on Commerce and Navigation

Senate Bill No. 90, above reported, read first and second times and referred to the Committee on Commerce and Navigation

Senate Bill No. 356, above reported, read first and second times and referred to the Committee on Military Affairs

Assembly Bill No. 166, above reported. Senate amendments to the bill concurred in

Senate Bill No. 405, above reported, read first and second times and referred to the Committee on Agriculture

Senate Bill No. 324, above reported, read first and second times and referred to the delegations named in the bill

Senate Bill No. 357, above reported, read first and second times and ordered on general file.

Substitute for Assembly Bill No. 44, referred to the Committee on Roads and Highways.

REPORTS

Mr. Murphy of Santa Clara, by leave, made the following report:

MR. SPEAKER: The delegations named in this bill have considered it and recommend its passage—Assembly Bill No. 340.

MURPHY (of Santa Clara), for Delegations

Mr. Hubner, from the San Joaquin delegation, by leave, made the following report:

Mr. SPEAKER: The San Joaquin delegation, to whom was referred Senate Bill No. 67—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of the County of San Joaquin to loan money—had the same under consideration and recommend its passage

HUBNER,
THURSTON,
For Delegation.

Mr. Satterwhite moved to discharge the order making Senate Bill No. 195 the special order for two o'clock p. m. to-day.

Carried

On motion of Mr. Satterwhite, the bill was then made the special order for Friday, at two o'clock p. m.

INTRODUCTION OF BILLS

Bills were introduced as follows:

By Mr. Waldron (by request)—An Act for the relief of S. A. Boutwell, George W. Hancock, W. G. Brown, C. W. Clark and Fred. Cox.

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

By Mr. Thurston—An Act in relation to the office of Court Commissioner of the County of San Joaquin.

Read first and second times and ordered on general file.

By Mr. Merritt—An Act to separate the office of County Recorder from the office of County Clerk of the County of Yuba.

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

By Mr. Hihn—An Act entitled an Act to better regulate the practice of medicine and surgery.

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

By Mr. Carothers—An Act to obtain and preserve genuine vaccine matter and to provide for the vaccination of the children in the different counties of this State

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

By Mr. Carothers—An Act declaring Bullhead Creek navigable.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. G. R. B. Hayes—An Act to decrease the expenses of land litigation in the City and County of San Francisco.

Read first and second times and referred to the Judiciary Committee

By Mr. Pool—An Act for the relief of Mariposa County.

Read first and second times and referred to the Committee on Claims

By Mr. Henley of Sonoma—An Act to provide for the translation of foreign records in the County of Sonoma and to make such translation evidence of their contents.

Read first and second times and ordered on general file.

Also, an Act to alter and define the boundaries of the corporate limits of Santa Rosa, in Sonoma County.

Read first and second times and ordered on general file.

By Mr. Hubner—An Act entitled an Act to authorize the Mayor and Common Council of the City of Stockton, in the County of San Joaquin, to donate one hundred thousand dollars to the Stockton and Copperopolis

Railroad Company and to provide for the payment of the same, and other matters relating thereto.

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

By Mr. Naphtaly (by request)—An Act to amend an Act entitled an Act to establish a quarantine for the Bay and harbor of San Francisco, and sanitary regulations for the City and County of San Francisco, approved April second, eighteen hundred and sixty-six.

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

By Mr. Robinson—An Act to legalize, ratify and confirm deeds of conveyances and grants of lands within the pueblo lands of San Diego

Read first and second times and referred to the Judiciary Committee

GENERAL FILE.

Assembly Bill No. 169—An Act to create the County of San Benito, to define its boundaries and provide for its organization—was taken up, on motion of Mr. Blankenship, and amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Senate Bill No. 236—An Act to provide funds for the School Department of the City and County of San Francisco—was taken up, on motion of Mr. Ryan.

Read a third time and passed; title approved

Senate Bill No. 134—An Act to repeal an Act entitled an Act for the encouragement of agriculture and manufactures in California, approved April twenty-fifth, eighteen hundred and sixty-two, and to repeal an Act entitled an Act for the encouragement of silk culture in this State, approved March thirtieth, eighteen hundred and sixty-eight—was taken up, on motion of Mr. Naphtaly.

Read a third time and passed; title approved.

Assembly Bill No. 330—An Act to amend an Act restricting the herding of sheep in Sonoma and Marin Counties—was taken up, on motion of Mr. Andrews, and amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Blankenship, by leave, offered the following:

Resolved, That the Enrolling Clerk of this House be and is hereby authorized to insert the word "of" in the title of Assembly Bill No. 66.

Adopted.

On motion of Mr. Robinson, the following bill was taken up:

Assembly Bill No. 196—An Act to amend an Act entitled an Act to protect agriculture, and to prevent the trespassing of animals upon private property.

Substitute adopted and amended.

Mr. Murphy of Santa Clara moved to refer the bill to the Judiciary Committee.

Lost.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

REPORTS.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 68—An Act donating to the San Francisco and North Pacific Railroad Company certain salt marsh and tide lands in the Counties of Marin and San Francisco

Also, substitute for Assembly Bill No 91—An Act to incorporate the Town of San Juan.

Also, Assembly Bill No. 335—An Act for the appointment of two additional Notaries Public in the County of Solano.

Also, Assembly Bill No. 159—An Act to protect and encourage the production and sale of pure and wholesome milk, and to prohibit and punish the production and sale of unwholesome and adulterated milk.

Also, Assembly Bill No. 332—An Act in relation to delinquent taxes in the County of Alpine

Also, Assembly Bill No 313—An Act to authorize the Odd Fellows' Cemetery Association of San Francisco to borrow money for certain purposes, and to secure the same by mortgage upon real estate

Also, Assembly Bill No 254—An Act to pay the expenses necessarily incurred in suppressing Indian hostilities in the Counties of Humboldt and Trinity, in the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine

Also, Assembly Bill No 257—An Act to amend an Act entitled an Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty.

MARTIN (of Butte), Chairman.

Mr G. R. B. Hayes, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 244—An Act authorizing the Board of Supervisors of the City and County of San Francisco to provide plans for a proper system of grades and sewers

G. R. B. HAYES, for Committee.

At twelve o'clock and thirty minutes P. M. the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.

Friday, February 18th, 1870. }

House met pursuant to adjournment

Speaker in the chair

Roll called.

Quorum present.

Prayer by the Rev O. P. Fitzgerald.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Messrs Ryan, M. Hayes, Griswold, Henley of Mendocino and Brown of Amador were granted leave of absence for one day.

The Committee on Public Buildings and Grounds and the Committee on State Hospitals were granted leave of absence for two hours.

[Mr. Naphtaly in the chair]

On motion of Mr. Rogers, the rules were suspended and Assembly Bill No. 57 taken up and referred to the Committee on Hospitals.

PETITIONS.

Mr. Walden presented a petition of citizens of Stanislaus County, against the removal of the county seat of said county.

Received and referred to the Committee on Counties and County Boundaries.

Also, from citizens of Stanislaus County, against the trespass or no fence law.

Received and ordered to the Senate with Assembly Bill No. 196

Mr. O'Connell presented a petition from laborers and mechanics employed at the San Francisco Labor Exchange, asking that the management of that institution be placed in the hands of a Board of Managers.

Received and referred to the Committee on Ways and Means

Mr. Doss presented a petition from citizens of Kern County, praying for the passage of an Act providing a special election to decide the question of the location of the seat of government of said county.

Received and referred to the Committee on Counties and County Boundaries

REPORTS OF STANDING COMMITTEES

Mr. King, from the Committee on Corporations, made the following report :

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 258—An Act authorizing Rodman Gibbons, and his associates and assigns, to construct and operate a street railroad in the County of Alameda—have considered the same, and report the bill back with a substitute, and recommend the passage of the substitute.

KING, Chairman.

Mr Martin of Butte, from the Judiciary Committee, made the following report :

MR. SPEAKER : The Judiciary Committee, to whom was referred Assembly Bill No 220—*An Act amendatory of and supplementary to an Act entitled an Act to provide for the revision and compilation of the laws of the State of California and the publication thereof, approved March twenty-eighth, eighteen hundred and sixty-eight*—respectfully report that they have had said bill under consideration, and report the same back and recommend the passage of the bill.

NAPHTALY, Chairman

Mr Romer, from the Committee on Railroads, made the following report :

MR. SPEAKER : The Railroad Committee have had under consideration Assembly Bill No 228—*An Act to grant to certain persons the right of way for a railroad track within the corporate limits of the City and County of San Francisco and to run horse cars thereon*—report the same back, and recommend that it be referred to the San Francisco delegation.

ROMER, Chairman

The bill was so referred.

Mr. Slicer, from the Committee on Education, made the following report :

MR. SPEAKER : Your Committee on Education, to whom was referred Assembly Bill No 381—*An Act to amend an Act entitled an Act to provide for the incorporation of colleges, passed April twentieth, eighteen hundred and fifty*—have had the same under consideration, report it back and recommend its passage

Also, Senate Bill No. 126—*An Act to ratify and confirm a certain conveyance made by the Board of Education of the City and County of San Francisco—and recommend that it pass, also.*

SLICER, Chairman

Mr McMurry of Trinity, from the Committee on Contingent Expenses, made the following report :

MR. SPEAKER : Your Committee on Contingent Expenses, to whom was referred the resolution allowing George D. Little and H. W. Kind fifteen dollars each, for services rendered the Committee on Fees and Salaries, report the same back and recommend that it be adopted

McMURRY (of Trinity), Chairman

The resolution, as reported above, was read, as follows :

Resolved. That there shall be paid out of the Contingent Fund of the Assembly, to H. W. Kind the sum of fifteen dollars and to George D. Little, the sum of fifteen dollars, for services performed by them for the Committee on Fees and Salaries.

Adopted.

Mr. Merritt, from the Yuba delegation, made the following reports :

Mr. SPEAKER: The Yuba delegation, to whom was referred Senate Bill No. 341—An Act supplemental to an Act to regulate the care and maintenance of the indigent sick in and for Yuba County, approved April eighteenth, eighteen hundred and sixty—respectfully report that they have had said bill under consideration, report the same back and recommend its passage.

MERRITT, for Delegation.

Mr. SPEAKER: The Yuba delegation, to whom was referred Assembly Bill No. 407—An Act to amend an Act supplementary to an Act to incorporate the City of Marysville, approved March third, eighteen hundred and fifty-seven, and other Acts amendatory thereto—respectfully report that they have had said bill under consideration, report the same back and recommend its passage.

MERRITT, for Delegation

Mr. Slicer, from the Committee on Education, made the following report :

Mr. SPEAKER: The Committee on Education have had under consideration Senate Bill No. 228, and report the same back with amendments, and recommend its passage as amended

SLICER, Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Murphy of Del Norte offered a concurrent resolution in relation to instructing our Senators and Representatives in Congress to use all honorable means to procure the establishment of a tri-weekly mail route from Cloverdale, in Humboldt, to Trinidad, in Klamath County.

Read first and second times and ordered on general file.

Mr. Brown of Yuba offered the following resolution :

Resolved, That in consequence of the sickness of Mr. Henshaw, the Chief Clerk be authorized to appoint an assistant until Mr. Henshaw recovers and reports for duty, at the per diem allowed the Journal Clerk, payable out of the Contingent Fund of the Assembly.

Adopted.

Mr. Walden offered the following resolution :

Resolved, That all petitions from the citizens of Stanislaus and Merced Counties, asking for the passage of an Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, now in the hands of the Committee on Agriculture, be returned to the Clerk and transferred, with Assembly Bill No. 196, to the Senate.

Adopted, and the committee subsequently reported the petitions as requested.

Mr. Fortune offered the following resolution :

Resolved, That this House do meet and hold sessions every evening, from seven to nine o'clock, Fridays and Saturdays excepted.

Laid over one day.

The following resolution, offered by Mr Martin of Siskiyou, was taken up :

Resolved, That the Committee on Public Accounts and Expenditures be requested to report to this House, within one week, a statement of all bills and demands audited and allowed by them to date of their report; and that the House hereby rescind a resolution adopted January sixth, eighteen hundred and seventy, authorizing the Sergeant-at-Arms to issue his warrants on the Contingent Fund for the payment of all accounts calling for a less amount than one hundred dollars.

Adopted.

Mr. Munday moved a reconsideration of the action of the Assembly, whereby Senate Bill No. 51 was passed, on the fourteenth instant

The House gave unanimous consent.

Assembly substitute for the bill adopted.

Read a third time and passed; title approved.

Mr Stephens offered a resolution, as follows :

Resolved, That this House hold an evening session this evening, Friday, February eighteenth, eighteen hundred and seventy.

Adopted.

Mr. Hubner offered the following resolution :

Resolved, That the Judiciary Committee be instructed to draft a bill, and report the same next Monday, by which a bill passed March twenty-eighth, eighteen hundred and sixty-eight, and known as the fee and salary bill, will be repealed, and the law now governing fees and salaries will remain in force.

Laid on the table.

Mr. Martin of Siskiyou offered the following :

Resolved, That the Committee on Public Accounts and Expenditures be instructed to investigate the question of salaries and expenditures of the several State Departments; ascertain how far (if any) reduction may be made; what offices (if any) ought to be abolished; how far the Special Contingent Fund may be reduced; how far the expenditures for fuel, stationery, rents, etc, may be retrenched; how far the discretion of officers over Contingent Funds should be limited; how far rigid accountability in the use of Contingent Funds may be effected, and how far duties devolved on two or more persons may be devolved on one; and also to report a bill to carry out the purpose of this resolution, so as to reduce the expenditures to the minimum point compatible with the efficient administration of the Government.

Mr. Inman moved to amend by adding, "and the said committee be allowed a Clerk."

Lost.

Mr. Blankenship moved the previous question.

Sustained

When the resolution was lost.

Mr. Fortune offered the following resolution :

Resolved, That no member of this House be allowed to occupy the floor of this House longer than five minutes at one time during debate.

On motion of Mr. Henley of Sonoma, laid on the table.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
February 18th, 1870 }

Mr. SPEAKER : I am directed to inform the Assembly that the Senate, on the fifteenth instant, adopted Senate Concurrent Resolution No. 29—Granting leave of absence from the State to J. W. Bost, Surveyor-General

Also, passed Senate Bill No. 411—An Act for the relief of Henry N. Morse, Sheriff of Alameda County.

Also, passed Senate Bill No. 299—An Act providing for the appointment of phonographic reporters in certain cases

And, on the sixteenth instant, passed Senate Bill No. 159—An Act in relation to the indebtedness of Tuolumne County incurred in the years eighteen hundred and sixty-six and eighteen hundred and sixty-seven

And, on yesterday, passed Senate Bill No. 10—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-seventh, eighteen hundred and sixty-three.

Also, on yesterday, passed Senate Bill No. 144—An Act to authorize William Vanderhurst et al. to construct a railroad from the City of Monterey to the Town of Salinas.

CURTIS,
Assistant Secretary

CONSIDERATION OF SENATE MESSAGE.

Senate Concurrent Resolution No. 29, above reported, read first and second times and ordered on general file.

Senate Bill No. 411, above reported, read first and second times and referred to the Committee on Claims

Senate Bill No. 159, above reported, read first and second times and referred to the Committee on Claims

Senate Bill No. 299, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 10, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 144, above reported, read first and second times and referred to the Railroad Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Miller of Marin—An Act reorganizing the Board of Supervisors of Marin County and redistricting said county.

Read first and second times and referred to the Senate and House delegations from Marin County

By Mr. Haile—An Act to direct the Treasurer and Auditor of Solano County to transfer certain moneys.

Read first and second times and referred to the Judiciary Committee.

Also, an Act to authorize the Board of Trustees of the City of Benicia to subscribe to the capital stock of a railroad and to issue bonds in payment thereof, and other matters relating thereto.

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

REPORT.

Mr. Newell, from the Committee on Engrossment, made the following report :

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 342—An Act authorizing the Board of Supervisors of Amador County to audit and allow the claim of James Carroll.

Also, Assembly Bill No 273—An Act to authorize the construction of a turnpike road from the Town of Truckee, in Nevada County, to the Hot Springs and State line at the northeasterly end of Lake Bigler, in the County of Placer

Also, Assembly Bill No. 239—An Act to promote the study of anatomy.

Also, substitute for Assembly Bill No. 303—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the Acts amendatory thereof.

Also, Assembly Bill No 320—An Act to provide for the building a bridge across Putah Creek, in Napa County, and to authorize the Supervisors of Napa County to levy a special tax for that purpose

Also, Assembly Bill No 322—An Act to repeal an Act entitled an Act authorizing the Board of Supervisors of Plumas County to take and subscribe to the capital stock of the Oroville and Virginia City Railroad Company and to provide for the payment thereof

Also, Assembly Bill No. 291—An Act amendatory of and supplementary to an Act to incorporate the City of Nevada, approved April nineteenth, eighteen hundred and fifty-six.

Also, Assembly Bill No. 213—An Act amendatory of an Act entitled an Act supplementary to an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba and Santa Clara, approved May seventeenth, eighteen hundred and sixty one

Also, Assembly Bill No 317—An Act to provide for the improvement of the navigation of the Russian River and to declare said river a navigable stream.

NEWELL, of Committee

The Committee on Commerce and Navigation were granted leave of absence until Tuesday next, and the Committee on Ways and Means, for the evening session.

GENERAL FILE.

Assembly Bill No 245—An Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto
Section five amended.

Mr Oates moved to strike out line fifty-eight, section five—" For issuing marriage license, one dollar."

Lost.

Mr Berry moved to amend, on page twelve, section six, line fourteen, by striking out " six" and inserting " ten "

Lost

Section six amended.

Sections eight and nine amended.

Mr. Johnson moved to amend by adding, at the end of line fifteen, section nine, the words " three dollars "

Lost

Mr De Haven moved an amendment to section nine, page fifteen, line seventeen, by inserting, after "arrest " "and before judgment of conviction."

Lost

Mr. Hihn offered the following amendment: Strike out, on page fifteen, line seventy-one, " when under arrest," and insert "from the place of arrest to the county jail "

Lost.

At half past twelve o'clock P M the House took a recess.

REASSEMBLED.

At half-past one o'clock P M the House reassembled.

Speaker in the chair.

Roll called

Quorum present.

REPORTS

Mr. Satterwhite, from the Committee on Immigration, by consent, made the following report :

MR. SPEAKER : Your Committee on Immigration beg leave to report Assembly Bill No 214 amended, and in its modified form believe it presents a practicable scheme for aiding immigration. Your committee have listened patiently to all the arguments presented by the promoters of the bill, and have heard in its behalf many gentlemen acquainted with facts concerning emigration in various countries, States and colonies. The Governor and other members of the Executive department of the State Government, and most of the press, have recommended something being done by the Legislature to encourage white immigration as a preventive against the inundation of Chinese. But while your committee believe that an increase of population, secured as proposed by this bill, would be an ultimate benefit to the State, yet in view of the oppressive taxation now existing, your committee doubt the propriety of making any appropriation for the purposes proposed, at this time.

SATTERWHITE,
KELLEY,
SCARCE,
BIGGS,
Committee.

Mr. Martin of Siskiyou, from the Committee on Enrolment, made the following report :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Concurrent Resolution No 5—To establish a mail route from Tuolumne City to Millerton

Also, Assembly Bill No 11—An Act for the relief of Green T. Martin

Also, Assembly Bill No 116—An Act to provide for the relief and maintenance of the indigent sick of Humboldt County.

Also, Assembly Bill No 255—An Act to amend an Act entitled an Act to provide for the erection of county buildings in the County of Lake, and other matters in relation thereto, approved March twenty-fourth A D eighteen hundred and sixty-eight.

Also, Assembly Bill No. 323—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March twenty-eighth, eighteen hundred and sixty-eight

And this day, at twelve o'clock and thirty minutes P. M., presented the same to the Governor for his approval

MARTIN (of Siskiyou), for Committee

Messrs. Inman and Finney were granted leave of absence for two days.

GENERAL FILE RESUMED.

On motion of Mr McMurry of Trinity, Assembly Bill No. 391—An Act to provide a Contingent Fund for the use of the Legislature—was taken up.

Considered in Committee of the Whole
[Speaker in the chair]

IN ASSEMBLY.

Bill reported back and passage recommended without amendment.

Rules suspended, bill considered engrossed, read a third time and passed

Rules further suspended and the bill ordered transmitted immediately to the Senate.

On motion of Mr. Horan, the following bill was taken up:

Senate Bill No. 250—An Act to authorize Eliza M Hartley, administratrix of the estate of Henry Hare Hartley, deceased, to sell real property belonging to said estate.

Read a third time and passed; title approved

By leave, Mr. King withdrew Assembly Bill No 207. and Mr. Fortune withdrew Assembly Bill No. 75

Mr Sliemaker, by leave, offered the following:

Resolved, That the Committee on Public Buildings and Grounds be and are hereby instructed to examine into the condition and progress of the State University and other public buildings and grounds in this State

Adopted

Assembly Bill No. 245 continued.

Section nine further amended.

SPECIAL ORDER.

The special order for two o'clock P. M., motion to reconsider the vote on Senate Bill No. 195—An Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtedness—was taken up.

Mr. Satterwhite moved to reconsider the vote by which the House refused to pass the bill.

Carried

Read a third time and passed; title approved.

[Mr. Naphtaly in the chair.]

Assembly Bill No. 245 continued

Mr. Waldron offered the following: Amend section nine, in line twenty-two, by striking out the words "each notice, one dollar," and inserting the words "two dollars."

Lost.

Bill further amended.

Mr. Munday offered an amendment to section eleven, in line sixty-three: Strike out "fifty" and insert "forty"

Lost

Mr. Lewelling moved an amendment to page fourteen, line sixty-four, by striking out "thirty cents" and inserting "forty cents."

Lost

Mr. Oates offered an amendment to section twelve, by adding: "That all jurors and witnesses shall be allowed mileage at the rate of forty cents per mile, and three dollars per day while acting as jurors or witnesses"

Lost.

On motion of Mr. Gildea, "El Dorado" was stricken out wherever it occurs in the bill.

Mr. York offered the following amendments: Amend section seventeen, line ten, by inserting "Tuolumne" after "Sierra" Amend section eighteen, line four, by striking out "Tuolumne," and insert "Tuolumne" after "Tehama," in line six

Lost.

Amendments to section twenty, inclusive, adopted

At four o'clock and forty-five minutes P. M., on motion of Mr. Murphy of Santa Clara, the House adjourned, to meet at seven o'clock P. M.

EVENING SESSION.

At seven o'clock P. M. the House met, pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present

Assembly Bill No. 245 resumed.

Section twenty further amended.

Mr. York moved to amend section twenty, line six, by striking out "Tuolumne," and inserting "Tuolumne" after "Santa Cruz," in line ten

Lost.

Mr. Berry offered an amendment to section six

Adopted.

On motion of Mr. Martin of Butte, the vote was reconsidered reducing amounts named in section four, lines twelve and fourteen, and then the amounts made to read as originally.

The Committee on Railroads was allowed leave of absence for the remainder of the evening

Mr. Moynihan was also excused for the evening session.

Mr. Appling offered an amendment to section twenty-one.

Adopted.

Mr. Slicer offered a substitute for section twenty-one.

Lost

Mr. Hihn offered a substitute for section twenty-one.

Lost

Section twenty-one amended by inserting "Solano, six hundred dollars," for salary of School Superintendent.

Mr. Martin of Butte moved to amend by inserting "Butte County" after "Solano"

Mr. Biggs moved to amend the amendment by inserting "Butte County, at six hundred dollars, exclusive of travelling expenses"

On which the ayes and noes were demanded by Messrs Satterwhite, Naphtaly and Duffy, and the amendment to the amendment was adopted, by the following vote:

AYES—Messrs. Andrews, Biggs, Calderwood, Carothers, Duffy, Fortune, Freeman, Gildea, Hawley, Henley of Sonoma, Horan, Hudson, Johnson, Kelley, King, Martin of Siskiyou, McClaskey, McMillan, Miller of El Dorado, Miller of Marin, Munday, Naphtaly, Newell, Odell, Pool, Romer, Satterwhite, Scarce, Shoemaker, Slicer, Stephens, Thomas, Thurston, Waldron and Mr. Speaker—35.

NOES—Messrs Appling, Berry, Blankenship, Brown of Yuba, Coronel, Crigler, Doss, Eichelroth, Green, Haile, Hihn, Hubner, Koutz, Lewelling, Martin of Butte, Oates, O'Connell, Power, Robinson, Williams and York—21.

Amendment, as amended, adopted.

Mr. Martin of Siskiyou was excused for the remainder of the evening.

Mr. Martin of Butte moved to strike out "including mileage," in line two, section twenty-three.

Lost

Section twenty-four amended to apply to Sacramento County.

Section twenty-five amended

At eight o'clock and fifty minutes p. m. Mr. Duffy moved to adjourn.

Lost

Mr. Berry offered an amendment to section twenty-five, line seven—strike out "one dollar." and insert "one dollar and fifty cents."

Lost

Mr. Horan moved a call of the House.

Lost.

At nine o'clock p. m. Mr. Pool moved to adjourn.

Lost.

Mr. Martin of Butte moved to strike out "fifty cents," in line fifty-one, and insert "twenty-five cents." in section twenty-six.

Lost

Amended, amendments adopted.

Mr. Oates moved to strike out. in line twenty-four, "five dollars."

Lost.

At nine o'clock and ten minutes p. m. Mr. Pool moved to adjourn

Lost.

Section twenty-seven amended.

Mr. Kelley offered an amendment to section twenty-eight.

Lost

Mr. Hubner moved to strike out "six dollars," in line one, section twenty-eight, and insert "five dollars."

Lost

Mr. Biggs moved to strike out, in line six, section thirty, "Butte," and insert the same in line nine

Lost.

Amended, amendments adopted.

At nine o'clock and forty minutes P. M. Mr. Carothers moved to adjourn.

Lost.

Mr. Martin of Butte moved to strike out the semicolon and the word "if," in line eight, section thirty-one.

Mr. Biggs moved to amend section thirty-one, line six, as follows: "Any witness that is summoned on behalf of the people, that lives over four miles from the county seat, shall receive two dollars per day and twenty-five cents for travelling, going one way only."

The amendment of Mr. Biggs was lost.

The amendment of Mr. Martin of Butte was adopted.

At ten o'clock and forty minutes P. M. Mr. Berry moved to adjourn

On which the ayes and noes were demanded by Messrs Blankenship, Berry and Appling, and the House adjourned, by the following vote:

AYES—Messrs Andrews, Appling, Berry, Blankenship, Brown of Yuba, Carothers, Coronel, Escandon, Fryer, Green, Hailo, Hihn, Johnson, King, Koutz, McClaskey, McMillan, Merritt, Newell, Oates, Pool, Power, Scarce, Shoemaker, Shores. Slicer and Waldron—27.

NOES—Messrs. Biggs, Crigler, Doss, Eichelroth, Freeman, Gildea, M Hayes, Henley of Sonoma, Horan, Hubner, Hudson, Kelley, Lewelling, Martin of Butte, McMurray of El Dorado, McMurry of Trinity, Munday, Naphtaly, Odell, Robinson, Satterwhite, Stephens, Thomas, Williams and York—25.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, February 19th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Rev. Dr Phelps.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

The Special Committee on State Normal School were granted leave of absence for the remainder of the day.

Messrs Brown of Amador and Munday were granted indefinite leave of absence, and Mr. Haile for three days

REPORTS.

Mr. Eichelroth, from the Committee on State Hospitals, made the following report :

MR. SPEAKER : Your Committee on State Hospitals, to whom was referred Assembly Bill No. 57—An Act to establish a quarantine for the Bay and Harbor of San Francisco and sanitary regulations for the City and County of San Francisco—beg leave to report the same back and recommend its passage as amended.

EICHELROTH, Chairman.

Mr. Merritt, from the Committee on Counties and County Boundaries, made the following report :

MR. SPEAKER : The Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 289—An Act to create the County of Anaheim, to define its boundaries and to provide for its organization and financial affairs—respectfully report that they have had said bill under consideration, herewith report the same back, with amendments, and recommend its passage as amended.

MERRITT, Chairman.

Mr. Andrews, from the Committee on Mines and Mining Interests, made the following report :

MR. SPEAKER : The Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 374—An Act to encourage iron mining—have had the same under consideration, report the bill back, with amendments, and recommend its passage as amended.

ANDREWS, Chairman.

Mr. Escandon, from the Santa Barbara delegation, made the following report :

MR. SPEAKER : The Santa Barbara delegation, to whom was referred Senate Bill No. 324, respectfully report the same back and recommend its passage.

ESCANDON, for Delegation.

Mr. Naphtaly, from the Judiciary Committee, made the following report :

MR. SPEAKER : The Judiciary Committee, to whom was referred Assembly Bill No. 333—An Act to exempt certain real and personal property within the corporate limits of the City of Marysville, in the County of

Yuba. from taxation for city purposes—report that they have duly considered said bill, and doubting the authority of the Legislature to pass such a bill, they would recommend that the author have leave to withdraw it.

NAPHTALY, Chairman.

The bill was withdrawn by the author, by leave

Mr. Lewelling, from the Alameda delegation, made the following report :

Mr. SPEAKER: The Alameda delegation, to whom was referred Senate Bill No. 263, have had the same under consideration. report the same back and recommend its passage.

LEWELLING, for Delegation.

Mr. Merritt, from the Yuba delegation, made the following report :

Mr. SPEAKER: The Yuba delegation, to whom was referred Assembly Bill No 420—An Act to separate the office of County Recorder from the office of County Clerk of the County of Yuba—respectfully report that they have had the same under consideration, and report the same back and recommend its passage.

MERRITT, for Delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Waldron—An Act in relation to the school lands of this State. Read first and second times and ordered on the general file

By Mr Stephens—An Act granting a street railroad franchise in the City and County of Sacramento.

Read first and second times and referred to the Sacramento delegation

By Mr. Johnson—An Act for the relief of Lovick P. Hall and Samuel J. Garrison.

Read first and second times and referred to the Judiciary Committee.

By Mr. Coronel—An Act to incorporate the Town of San Juan Capistrana.

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

By Mr. Lewelling (by request)—An Act to authorize the construction of gas works and lay down gas pipes in the City of Oakland, County of Alameda.

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

By Mr. Doss (by request)—An Act to submit the question of the removal of the county seat of Kern County to the qualified voters thereof.

Read first and second times and referred to the Committee on Counties and County Boundaries.

By Mr. Coronel—An Act entitled an Act to provide for the better collection of State and county revenue in the County of Los Angeles

Read first and second times and ordered on file.

By Mr. Griswold—An Act to amend section nine of an Act entitled an Act to amend an Act entitled an Act amendatory of article fourth

of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco and to consolidate the government thereof, approved the nineteenth day of April, eighteen hundred and sixty-six, repealing sections thirty-six to sixty-four, inclusive, and Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said article four, approved the twenty-fifth day of April, eighteen hundred and sixty-two, approved March twenty-sixth, A D eighteen hundred and sixty-eight

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

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

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

GENERAL FILE.

Assembly Bill No. 245 resumed.

Mr. Shoemaker moved to strike out section thirty-five.

Lost.

Section thirty-five amended

On motion of Mr. Gildea, "El Dorado" was inserted in section fifty-two.

[Speaker pro tem in the chair]

Section fifty-two amended

Section fifty-three amended

Mr. Andrews offered a substitute for section fifty-four.

Adopted.

When section fifty-five was made section fifty-six

Sections four, five, six, thirteen, seventeen, twenty, twenty-five and twenty-seven, amended.

Mr. Lewelling offered the following amendment: Amend, on page nineteen, section thirteen, in the seventh line, after the words "Tax Collector," insert—"except in the Counties of Alameda, Amador, Yolo, Napa, Lake, Del Norte, Sacramento, Yuba, Mariposa, Alpine, San Joaquin, Fresno, Lassen, Butte, Los Angeles, Kern, Tulare, Colusa, Tehama, Solano and Trinity."

Lost.

Mr. Berry offered the following substitute for section fifty-six: "This Act shall take effect on the first Monday of March, A. D. eighteen hundred and seventy-two"

Mr. Sheer offered the following amendment: "Section 56. This Act shall go into effect in the County of Sutter in the year eighteen hundred and seventy-two"

Adopted.

By unanimous consent, Mr. Berry was allowed to withdraw the substitute, and the substitute and amendment were withdrawn.

On motion of Mr. Martin of Butte, the bill, as amended, was ordered printed and to take its place at the head of the general file for Monday next

Mr. Stephens, by leave, introduced a bill for an Act amendatory of and supplementary to an Act, approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Read first and second times and ordered second on the general file for Monday

The Committee on Public Buildings and Grounds were allowed leave of absence for such times as their duties require

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker pro tem in the chair.

Roll called

Quorum present.

LEAVE OF ABSENCE

Messrs. Horan, Crigler, Thomas, Blankenship, Miller of El Dorado, Hudson, and Henley of Sonoma were granted leave of absence for the remainder of the day.

REPORT.

Mr. Lambert, from the Committee on Ways and Means, by leave, made the following report:

Mr. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No. 408—An Act to appropriate money for the relief of Gen. John A. Sutter—have had the same under consideration, and report the same back, with an amendment, and recommend the passage of the bill as amended.

They have also considered Assembly Bill No. 383—An Act to amend an Act entitled an Act to amend the revenue laws, approved April fourth, eighteen hundred and sixty-four, and report the same back and recommend its passage

They have also considered Assembly Bill No. 384—An Act to amend an Act entitled a Act to provide revenue for the support of the Government of this State—and report the same back and recommend that it do not pass.

Also, Assembly Bill No. 388—An Act to amend an Act entitled an Act supplementary to and amendatory of the Act of April twenty-ninth, eighteen hundred and fifty-seven, approved April seventeenth, eighteen hundred and fifty-eight—and report the same back and recommend that it do not pass.

Also, Assembly Bill No. 348—An Act to provide for the collection of taxes in the County of Amador—and report the same back and recommend that it do not pass.

Also, Assembly Bill No. 362—An Act to regulate the distribution of the Police Fund of the City and County of San Francisco—and report the same back and recommend that it be referred to the San Francisco delegation

Also, Assembly Bill No. 396—An Act to regulate the time for commencing assessments in the counties of this State—and report the same back and recommend that it do not pass.

Also, Assembly Bill No. 285—An Act entitled an Act for the support and maintenance of the non-resident and indigent sick of Los Angeles County—and report the same back and recommend that it do not pass

LAMBERT, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, by consent :

By Mr Naphthaly—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street in said city and county, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street.

Read first and second times and referred to the Judiciary Committee

By Mr M Hayes—An Act granting the right to construct and maintain a railroad on certain streets herein named in the City and County of San Francisco

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

Mr Mooney, by leave, offered the following :

Resolved, That Mr. Lewelling be added to the Committee on Education.

Laid over for one day

Subsequently taken up, under a suspension of the rules, and, on motion of Mr Martin of Butte, indefinitely postponed

SENATE MESSAGE

On motion of Mr. Waldron, the following Senate message was taken up :

SENATE CHAMBER,
February 19th. 1870. }

MR SPEAKER : I am directed to inform the Assembly that the Senate, on this day, passed, under a suspension of the rules, Senate Bill No 420—An Act entitled an Act to provide for the collection of revenue in the County of Placer.

And, on yesterday, adopted Senate Concurrent Resolution No 31—Relative to a mail route from San Francisco to Sausalito.

CURTIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE

Senate Bill No. 420, above reported, read first and second times and referred to the San Francisco delegation

Senate Concurrent Resolution No. 31, above reported, read first and second times and, by unanimous consent, read a third time and passed : title approved

Mr. Doss, by leave, withdrew from further consideration of the House, Assembly Bill No. 396.

REPORT

Mr Newell, from the Committee on Roads and Highways, by leave, made the following report :

MR SPEAKER : The Committee on Roads and Highways, to whom was referred Assembly Bill No. 394—An Act to authorize the Board of

Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the construction of wagon roads in said county—have had the same under consideration, and report it back with amendments, and recommend its passage as amended.

NEWELL, Chairman

On motion of Mr Murphy of Santa Clara. Assembly Concurrent Resolution No 30—For the establishment of a mail route from San José to Almaden—was taken up.

Rules suspended, resolution considered engrossed, read a third time and passed; title approved.

The following bill was taken up, on motion of Mr. Scarce:

Assembly Bill No 237—An Act legalizing the assessment and levy of taxes for reclamation purposes in Swamp Land District Number Seventy-seven, in the County of Colusa.

Substitute adopted and bill ordered engrossed.

At two o'clock and ten minutes P. M. Mr. Odell moved to adjourn.

Lost.

On motion, the Committee on Education were granted indefinite leave of absence.

At two o'clock and twenty minutes P. M. Mr. Murphy of Del Norte moved to adjourn.

On which the ayes and noes were demanded by Messrs M. Hayes, Murphy of Del Norte and Green, and the House adjourned, by the following vote:

AYES—Messrs Andrews, Calderwood, Crigler, Doss, Escandon, Freeman, Fryer, Gildea, G. R. B. Hayes, Hihn, Horan, Hudson, Kelley, King, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of Marin, Mooney, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Newell, Odell, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Stephens, Walden and Williams—38.

NOES—Messrs. Appling, Berry, Biggs, Brown of Yuba, Coronel, Green, Hawley, M. Hayes, Henley of Mendocino, Johnson, McClaskey, Moynihan, Oates, Shoemaker, Shores, Thurston, York and Young—18.

GEO. H. ROGERS.

Speaker.

ROBT. FERRAL, Chief Clerk

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
Monday, February 21st, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Rev. Mr. Gober.

Journal of Saturday read and approved.

LEAVE OF ABSENCE.

The Placer County delegation were granted leave of absence for two hours, and Messrs Naphtaly, Merritt, O'Connell and Murphy of Santa Clara for one day.

On motion of Mr Gildea, the absentees were granted one day's leave of absence.

PETITION.

Mr. Walden presented a petition of citizens of Stanislaus County, praying for the passage of an Act legalizing the claim of Thomas E. Hughes, County Clerk of said county

Received and referred to the Committee on Ways and Means.

GOVERNOR'S MESSAGES.

A message was received from his Excellency the Governor, returning without his approval Assembly Bill No. 111—An Act to provide for the construction of a wagon or turnpike road from a point at or near Ukiah City, in Mendocino County, to a point at or near Cloverdale, in Sonoma County

[For message, see Appendix.]

The question being, "Shall the bill pass, notwithstanding the objections of the Governor?" the roll was called, and the House refused to pass the bill, by the following unanimous vote:

AYES—None

NOES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Yuba, Coroneel, Eichelroth, Fryer, Gildea, Green, Hawley, G. R. B. Hayes, Henley of Mendocino, Hihn, Horan, Hubner, Hudson, Koutz, Lambert, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of Marin, Mooney, Moymhan, Newell, Oates, Pool, Robinson, Romer, Ryan, Sammons, Satterwhite, Scarce, Shores, Stephens, Walden, York, Young and Mr Speaker—42.

The following message was also received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 19th, 1870.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 40—An Act to confirm order number eight hundred and eighty-three of the Board of Supervisors of the City and County of San Francisco.

Also, Assembly Bill No. 255—An Act to amend an Act entitled an Act to provide for the erection of county buildings in the County of Lake, and other matters in relation thereto, approved March twenty-fourth, A. D. eighteen hundred and sixty-eight.

Also, Assembly Bill No. 11—An Act for the relief of Green T. Martin.

Also, Assembly Bill No. 123—An Act for the relief of Jas. S. Houseman.

Also, Assembly Bill No. 28—An Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim of P. W. Van Winkle.

Also, Assembly Bill No. 176—An Act to authorize the Board of Trustees of the Vallejo School District, in the County of Solano, to borrow money for school purposes.

Also, Assembly Bill No. 191—An Act for the relief of John W. Ball.

Also, Assembly Bill No. 281—An Act granting leave of absence from the State to D. B. Spagnoli County Clerk of Amador County.

Also, Assembly Bill No. 323—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March twenty-eighth, A. D. eighteen hundred and sixty-eight.

H. H. HAIGHT,
Governor

Mr Eichelroth was allowed to withdraw from the further consideration of the House, Assembly Bill No. 296.

INTRODUCTION OF BILLS.

The following bill was introduced :

By Mr. Walden—An Act to locate the county seat for the County of Stanislaus

Read first and second times and referred to the Committee on Counties and County Boundaries

GENERAL FILE

Senate Bill No. 133—An Act to authorize Elizabeth W. P. Keeny to sell certain lands.

On motion, taken up out of its order on the file, read a third time and passed; title approved.

Senate Bill No. 341—An Act supplemental to an Act to regulate the maintenance of the indigent sick in Yuba County, approved April eighteenth, eighteen hundred and sixty.

On motion, taken up out of its order on the file, read a third time and passed; title approved.

Senate Bill No. 267—An Act to authorize the Board of Supervisors of Yuba County to levy and collect tolls on the Marysville and Brown's Valley Turnpike.

On motion, taken up out of its order on the file, read a third time and passed; title approved.

Assembly Bill No. 184—An Act to prevent forest and field conflagrations—was taken up, on motion of Mr. Hihn

On motion of Mr. Lambert, the bill was returned to its place on the file

Assembly Bill No. 435—An Act amendatory of and supplementary to an Act, approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Taken up, on motion of Mr. Stephens

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Lambert, by leave, made a verbal report, returning Senate Bill No. 333—An Act to authorize the Board of Supervisors of Plumas County, to build certain wagon roads in Plumas county—with amendments.

The rules were suspended and the bill taken under consideration and amended.

Read a third time and passed; title approved.

Mr Hubner moved to take up Senate Bill No 67—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of the County of San Joaquin to issue certain bonds.

Carried.

Read a third time and passed; title approved.

REPORT

Mr. Martin of Butte, from the Committee on Engrossment, made the following report :

Mr. SPEAKER : Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 292—An Act to authorize the Trustees of the City of Benicia to re-fund the debt of said city

Also, Assembly Bill No. 324—An Act concerning estrays and animals found running at large in the County of Santa Cruz

Also, Assembly Bill No 334—An Act to provide for the settlement of statements on appeal and on motion to set aside reports of Commissioners in certain cases

Also, Assembly Bill No. 330—An Act entitled an Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, approved April twenty-first, eighteen hundred and fifty-seven, and the Act amendatory thereof, approved April twenty-eighth, eighteen hundred and sixty

Also, Assembly Bill No 286—An Act to amend an Act entitled an Act concerning attorneys and counsellors at law, approved February nineteenth, eighteen hundred and fifty-one

Also, Assembly Bill No. 325—An Act amendatory of an Act entitled an Act to provide for establishing, maintaining and protecting public and private roads in the County of Contra Costa.

Also, Assembly Bill No 311—An Act to amend an Act concerning Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-seven

Also, Assembly Bill No 338—An Act to provide for the erection of a jail in the County of Del Norte.

Also, Assembly Bill No 177—An Act to establish and define the powers and duties of the Board of Education of the City of Vallejo

Also, substitute for Assembly Bill No 196—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private grounds, approved March twenty-sixth, eighteen hundred and sixty-six.

MARTIN (of Butte), Chairman

GENERAL FILE RESUMED.

The rules were suspended and the following bill taken up out of its order on the file :

Assembly Bill No. 318—An Act to authorize C A Miles, W S Greenwood, C E Baldwin and S S Morton, and assigns, to construct and maintain a wharf, chute and flume at or near the mouth of Geenwood Creek, and to charge and collect tolls for the use of the same.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 357—An Act to allow the claim of J. A. Eagan against the County of Amador—was taken up

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 242—An Act to reincorporate the City of Monterey—was taken up.

[Mr Andrews in the chair.]

Mr Escandon was granted indefinite leave of absence.

REPORTS

Mr. G. R B Hayes, from the San Francisco delegation, made the following reports :

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 406—An Act to determine the lines and grades of streets, avenues, highways and lanes in the City and County of San Francisco; also, Senate Bill No. 116—An Act to fix and regulate the salaries of the Auditor's clerk and the Deputy Treasurers of the City and County of San Francisco; also, Senate Bill No. 166—An Act to confer additional powers upon the Board of Supervisors, and the Auditor and Treasurer of the City and County of San Francisco; also, Assembly Bill No 353—An Act granting certain privileges to the Potrero and Bay View Railroad Company—have had the same under consideration, and herewith report them back and recommend their passage

G. R. B. HAYES, for Delegation.

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No 437—An Act granting the right to construct and maintain a railroad in certain streets herein named, in the City and County of San Francisco—have had the same under consideration, and herewith report the same back and recommend its passage.

G. R. B. HAYES, for Delegation.

GENERAL FILE RESUMED

Assembly Bill No 350—An Act authorizing the condemnation of private property within the limits of the public streets of the City and County of San Francisco, within the Laguna survey—was taken up, on motion of Mr. Rogers.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Mr. Miller of Marin, for the delegations to whom the bill was referred, verbally reported back Assembly Bill No 423, and recommended its passage

Assembly Bill No. 242 resumed

Amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Messrs. Ryan and G. R. B. Hayes were granted leave of absence for the remainder of the day.

RESOLUTION.

Mr. Martin of Siskiyou offered the following resolution :

Resolved, That when the House takes its recess to-day, at half-past twelve o'clock P. M., it adjourn to meet again on Thursday next, at half-past one o'clock P. M.

Mr. Martin of Butte moved to lay the resolution on the table
Carried, on a division.

Mr. McMillan moved to adjourn till half-past two o'clock on Wednesday.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker pro tem. in the chair.

Roll called.

Quorum present.

Mr. Johnson (by leave) introduced a bill for an Act amending the first section of an Act entitled an Act extending the time for the payment of a debt of ten thousand dollars due from Alpine County to Amador County, approved February twenty-ninth, eighteen hundred and sixty-eight.

Read first and second times and ordered on file.

RESOLUTION.

Mr. Martin of Siskiyou offered the following resolution :

WHEREAS, The twenty-second of February is the birthday of the illustrious Washington, the Father of his Country; therefore,

Resolved, That in honor of the immortal hero, patriot and statesman, whose achievements are the pride and glory of the American people, that when this House adjourns to-day, it adjourn to Thursday next, at half-past two o'clock P. M.

Mr. Martin of Butte moved to amend by inserting ten o'clock A. M. of Wednesday, instead of Thursday, at half-past two o'clock P. M.

Mr. Griswold moved the previous question.

Sustained.

The amendment of Mr. Martin of Butte was lost.

The resolution of Mr. Martin of Siskiyou was adopted.

Mr. Fortune moved to take up a resolution in reference to holding evening sessions.

Lost

Messrs. Finney and McMurphy of Trinity were granted indefinite leave of absence; and Messrs. Biggs, Brown of Amador, Lambert, and Martin of Siskiyou, for the balance of the day.

At five minutes to two o'clock P. M. Mr. McClaskey moved to adjourn.

On which the ayes and noes were demanded by Messrs. Martin of Butte, Kelley and Shores, and the House refused, by the following vote:

AYES—Messrs Andrews, Blankenship, Brown of Yuba, Calderwood, Coronel, Duffy, Eichelroth, Fortune, Gildea, Green, Griswold, Hihn, Koutz, Lewelling, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Moynihan, Pool, Power, Ryan, Shores, York and Young—27.

NOES—Messrs. Appling, Berry, Crigler, De Haven, Freeman, Fryer, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hudson, Johnson, Kelley, King, Martin of Butte, Miller of Marin, Mooney, Newell, Oates, Odell, Robinson, Romer, Satterwhite, Scarce, Shoemaker, Stephens and Waldron—27.

GENERAL FILE.

Substitute for Assembly Bill No. 245—An Act to regulate fees of office and salaries of certain officers and to repeal certain other Acts in relation thereto.

Mr. Shores moved to postpone the consideration of the bill to Thursday next.

Lost.

At two o'clock and five minutes p. m. Mr. Moynihan moved to adjourn.

Lost.

Bill amended.

Mr. Fryer moved to insert "Los Angeles" in section fifty-four.

On which the ayes and noes were demanded by Messrs. Crigler, Shoemaker and Shores, and the House refused, by the following vote:

AYES—Messrs. Andrews, Berry, Crigler, Duffy, Fryer, Green, Griswold, Henley of Mendocino, Kelley, Koutz, McClaskey, Mooney, Power, Sammons, Satterwhite, Scarce, Shoemaker, Waldron and York—19.

NOES—Messrs. Appling, Blankenship, Calderwood, Coronel, De Haven, Eichelroth, Freeman, Gildea, Hawley, Henley of Sonoma, Hihn, Hudson, Johnson, King, Lewelling, Martin of Butte, McMillan, McMurry of El Dorado, Miller of El Dorado, Miller of Marin, Newell, Odell, Pool, Robinson, Shores, Stephens, Young and Mr. Speaker—28.

Amendments to the various sections of the bill adopted.

Mr. Mooney moved to reconsider the vote by which the House refused to insert "Los Angeles County" in section fifty-four.

Carried unanimously.

Upon motion of Mr. Fryer, "Los Angeles" was inserted in the said section.

Mr. McClaskey moved to exempt Yuba from all the sections of the bill.

Lost.

Mr. Shores was excused for the remainder of the day.

Mr. King offered a substitute for section two.

Ruled out of order.

At four o'clock and fifty-five minutes p. m. Mr. Shoemaker moved to adjourn.

Lost.

Mr. Power offered an amendment to section fifty-six, line two, after the word "eight" insert "except so much of section third of said Act as provides for the election, in the year eighteen hundred and sixty-nine, of County Assessors in certain counties therein specified."

Mr. Berry offered an amendment to the amendment, by inserting "Tax Collectors and Recorders."

Amendment to the amendment and amendment lost.

The bill was further amended.

[Speaker pro tem in the chair.]

Mr. Power offered a substitute for section fifty-six as follows: "All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed."

Lost.

On motion of Mr. Oates, the rules were suspended, the bill considered engrossed and placed on its third reading and passage

Read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Martin of Butte, Biggs and Duffy, and it passed, by the following vote:

AYES—Messrs Andrews, Appling, Blankenship, Crigler, De Haven, Eichelroth, Freeman, Gildea, Green, Griswold, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hudson, Johnson, Kelley, King, Lewelling, Martin of Butte, McClaskey, McMillan, McMurry of El Dorado, Miller of Marin, Mooney, Moynihan, Newell, Oates, Odell, Pool, Robinson, Scarce, Shoemaker, Stephens, Thomas, Young and Mr. Speaker—38.

NOES—Messrs. Berry, Biggs, Brown of Yuba, Duffy, Koutz, Power, Sammons, Satterwhite, Waldron and York—10.

At four o'clock and forty minutes p. m. Mr. Duffy moved to adjourn.

Lost.

Mr. King moved to take up Assembly Bill No 283.

Carried.

At four o'clock and forty-five minutes p. m. Mr. Kelley moved to adjourn.

On which the ayes and noes were demanded by Messrs. Martin of Butte, Oates and Odell, and the motion prevailed, by the following vote:

AYES—Messrs. Andrews, Berry, Calderwood, Crigler, Duffy, Fryer, Gildea, Green, Hawley, Henley of Mendocino, Henley of Sonoma, Hudson, Kelley, King, Koutz, Martin of Butte, McMillan, Miller of Marin, Moynihan, Newell, Pool, Power, Romer, Satterwhite, Scarce, Shoemaker, Thomas, York and Young—29.

NOES—Messrs Appling, Biggs, Blankenship, Brown of Yuba, De Haven, Eichelroth, Freeman, Griswold, M. Hayes, Hihn, Johnson, McClaskey, Oates, Odell, Robinson, Stephens and Waldron—17.

Whereupon the Speaker pro tem. announced the House adjourned until Thursday next, at half-past two o'clock p. m.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.
 Thursday, February 24th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of Monday, the twenty first, read and approved.

LEAVE OF ABSENCE.

G. R. B. Hayes and others were granted leave of absence for one day, when, on motion of Mr. Crigler, all the absentees had one day's leave of absence granted them.

PETITIONS.

Mr. Escandon presented a petition from citizens of Santa Barbara County, praying for the creation of the County of Ventura.

Mr. Hihn presented a remonstrance of citizens of the same county against the creation of said county.

Petition and remonstrance received and referred to the Committee on Counties and County Boundaries.

REPORTS OF STANDING COMMITTEES.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed substitute for Assembly Bill No. 245—An Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto.

Also, Assembly Bill No 169—An Act to create the County of San Benito, to define the boundaries and provide for its organization

Also, substitute for Assembly Bill No 119—An Act to provide for the improvement of the rivers and streams in Santa Clara County

MARTIN (of Butte), Chairman

Mr. King, from the Committee on Corporations, made the following report:

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 346—An Act to grant further powers to the Board of Trustees of the City of San Diego and establish the boundaries of said city—have had the same under consideration, report the bill back, with amendments, and recommend its passage as amended.

KING, Chairman.

REPORTS OF SPECIAL COMMITTEES

Mr. Martin of Butte, from the Butte delegation, made the following report :

Mr. SPEAKER: The delegation from the County of Butte, to whom was referred Senate Concurrent Resolution No 18 and Senate Bill No 242, respectfully report that they have examined the same and recommend their passage

MARTIN (of Butte), for Delegation

Mr. Stephens, from the Sacramento delegation, made the following report :

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 429—An Act granting a street railroad franchise to the City and County of Sacramento—have had the same under consideration and respectfully beg leave to report the bill back, with an amendment, and recommend its passage.

STEPHENS,
HORAN,
DUFFY,
ODELL.

On motion of Mr Stephens, the bill was referred to the Committee on Corporations

GOVERNOR'S MESSAGES.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 21st, 1870.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No 116—An Act to provide for the relief and maintenance of the indigent sick of Humboldt County

H. H. HAIGHT,
Governor

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 21st, 1870.

To the Assembly of the State of California :

I herewith return to your honorable body, without approval, Assembly Bill No. 86—An Act to authorize the construction and maintenance of a wharf in the County of San Luis Obispo

This bill falls within the general principles stated in a previous message. In the second volume of Hittell's Digest (articles 7,316 to 7,325), will be found a general law in reference to wharves, empowering the Supervisors of each county to grant franchises for the construction of them over State lands. The term seems to be limited, in section four, to ten years. A slight amendment, enlarging this limit to twenty years, would obviate the necessity for any special bills on this subject.

H. H. HAIGHT,
Governor.

Mr. Brown of Amador moved to place the message of the Governor returning without his approval Assembly Bill No. 86 at the head of the general file for to-morrow.

Lost

Mr. Rockwell moved to postpone the consideration of the message until Monday next.

Mr. Biggs moved to amend by considering the message now.

Carried

The question being "Shall the bill pass, notwithstanding the objections of the Governor?" the roll was called, and the House refused to pass the bill, by the following vote:

AYES—Messrs. Escandon, Freeman, Fryer, King, Munday, Odell, Rockwell, Satterwhite, Stephens and Thurston—10.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Calderwood, Carothers, Coronel, Crigler, Doss, Duffy, Eich-elroth, Fortune, Griswold, Hihn, Hubner, Johnson, Kelley, Koutz, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Naphtaly, Newell, Oates, O'Connell, Pool, Power, Romer, Scarce, Shoemaker, Shores, Thomas, Waldron, Williams, York, Young and Mr. Speaker—45.

MOTIONS AND RESOLUTIONS.

Mr. Fortune moved to take up the resolution on the table in reference to holding evening sessions

Lost.

Mr. Rockwell offered the following resolution:

Resolved, That whenever a bill which has been printed is being acted upon by this House, the Clerk be instructed to use the printed copy of said bill; and committees to which a printed bill may be referred are instructed to use a printed copy of such bill, and to make their amendments, if any, to said printed copy.

Mr. Brown of Amador moved to amend by adding "Providing the printed copy correspond with the original bill."

Adopted.

When the resolution, as amended, was rejected.

SENATE MESSAGES

The following messages were received from the Senate:

SENATE CHAMBER, }
February 24th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No. 391—An Act to provide a Contingent Fund for the use of the Legislature.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
February 21st, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on Saturday, passed, under suspension of the rules, Assembly Bill No. 322—An Act to repeal an Act entitled an Act authorizing the Board of Supervisors of Plumas County to take and subscribe to the capital stock of the Oroville and Virginia City Railroad Company, and to provide for the payment of the same.

CURTIS,
Assistant Secretary

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. McMillan—An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate moneys for the celebration of the Fourth of July in that city and county.

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

By Mr. Stephens—An Act to authorize the Board of Trustees of the City of Sacramento to allow a certain claim therein mentioned.

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

By Mr. Escandon—An Act to create the County of Ventura, to establish the boundaries and to provide for its organization.

Read first and second times and referred to the Committee on Counties and County Boundaries, and ordered printed.

By Mr. Berry—An Act concerning roads and highways in the County of Sutter.

Read first and second times and ordered on general file.

By Mr. Hubner—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine, and the Acts amendatory and supplementary thereto.

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

By Mr. Waldron—An Act concerning roads and highways in the County of Placer.

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

By Mr. Robinson—An Act to authorize the issue of bonds by the County of San Diego to erect county buildings and to obtain a site therefor.

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

By Mr. Miller of El Dorado—An Act amendatory and supplementary to an Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty, and amended March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and ordered on the general file.

By Mr. Carothers—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty ninth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

Also, an Act supplementary to an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Read first and second times and referred to the Judiciary Committee
By Mr. Hihn—An Act concerning public roads and highways in the
Counties of Santa Cruz and San Diego

Read first and second times and ordered on the general file.

Also, an Act concerning the office of Tax Collector in the Counties of
Contra Costa and Santa Cruz.

Read first and second times and ordered on the general file.

Also, an Act to preserve the secrecy of ballots at elections.

Read first and second times and referred to the Special Committee on
Elections.

Also, an Act to provide for the payment of the funded indebtedness
of the State of California and to contract a funded debt for that purpose.

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

By Mr. Robinson—An Act concerning the tide lands in the Bay of
San Diego.

Read first and second times and referred to the Committee on Public
Lands

Mr. Naphtaly submitted a report from the Sisters of Mercy in charge
of the Magdalen Asylum of San Francisco

Received and referred to the Committee on Ways and Means.

GENERAL FILE.

Assembly Bill No. 159—An Act to protect and encourage the produc-
tion and sale of pure and wholesome milk, and to prohibit and prevent
the production and sale of unwholesome and adulterated milk.

Read a third time and passed ; title approved.

Assembly Bill No. 254—An Act to pay the expenses necessarily
incurred in suppressing Indian hostilities in the Counties of Humboldt
and Trinity in the years eighteen hundred and sixty-eight and eighteen
hundred and sixty-nine.

Read a third time and passed ; title approved

Assembly Bill No. 332—An Act in relation to delinquent taxes in the
County of Alpine.

Mr. Naphtaly moved to refer the bill to the Committee on Ways and
Means, with special instructions.

Lost.

Read a third time.

On the passage of the bill, the ayes and noes were demanded by
Messrs. Biggs, Blankenship and Berry, and it passed, by the following
vote :

AYES—Messrs. Andrews, Appling, Brown of Amador, Brown of Yuba,
Carothers, Crigler, Eichelroth, Escandon, Fryer, Griswold, Inman, John-
son, King, Lewelling, McClaskey, McMurry of El Dorado, Miller of El
Dorado, Mooney, Moynihan, Newell, Oates, O'Connell, Odell, Fool, Rob-
inson, Rockwell, Romer, Sammons, Thurston, Waldron, Williams, York
and Young—33.

NOES—Messrs. Berry, Biggs, Blankenship, Calderwood, Duffy, Free-
man, Haile, Hihn, Hubner, Hudson, Kelley, Koutz, Martin of Butte,
McMillan, Miller of Marin, Munday, Naphtaly, Power, Satterwhite,
Scarce, Shores, Stephens, Thomas and Mr. Speaker—24

Mr. Oates gave notice that on to-morrow he would move to reconsider
the vote just taken.

Assembly Bill No. 68—An Act donating the San Francisco and North Pacific Railroad certain salt marsh and tide lands in the Counties of Marin and San Francisco

Mr. McMillan moved to recommit the bill to the Committee on Commerce and Navigation, with special instructions to add to section four the following amendment: "That if any Mongolian or Asiatic be employed on the construction of the North Pacific Railroad, in any capacity, that all State aid herein granted shall revert to the State"

Mr. King moved the previous question

Sustained

On the motion to recommit, the ayes and noes were demanded by Messrs. Waldron, Duffy and Haile, and the House refused, by the following vote:

AYES—Messrs. Andrews, Berry, Brown of Amador, Duffy, Griswold, Haile, Horan, Hubner, Hudson, Inman, Kelley, Koutz, Lewelling, Martin of Siskiyou, McMillan, McMurphy of Trinity, Miller of El Dorado, Moynihan, Naphtaly, O'Connell, Robinson and Shoemaker—22

NOES—Messrs. Appling, Biggs, Blankenship, Brown of Yuba, Calderwood, Coronel, Crigler, De Haven, Doss, Eichelroth, Escandon, Freeman, Fryer, Hihn, Johnson, King, Martin of Butte, McClaskey, McMurphy of El Dorado, Miller of Marin, Munday, Newell, Oates, Odell, Pool, Power, Rockwell, Romer, Sammons, Satterwhite, Scarce, Shores, Stephens, Thurston, Waldron, Williams, York, Young and Mr. Speaker—39.

At four o'clock and thirty-five minutes P. M. Mr. Martin of Siskiyou moved to adjourn

Lost.

On the passage of the bill, the ayes and noes were demanded by Messrs. Biggs, Martin of Siskiyou, and Satterwhite, and it passed, by the following vote:

AYES—Messrs. Appling, Biggs, Blankenship, Brown of Yuba, Calderwood, Crigler, Doss, Eichelroth, Escandon, Griswold, Haile, Horan, Hubner, Johnson, King, Martin of Butte, McClaskey, McMurphy of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Newell, Oates, Odell, Pool, Robinson, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Stephens, Thurston, Williams, York, Young and Mr. Speaker—39.

NOES—Messrs. Andrews, Berry, Brown of Amador, Coronel, De Haven, Duffy, Freeman, Fryer, Hihn, Inman, Kelley, Koutz, Lewelling, Martin of Siskiyou, McMillan, McMurphy of Trinity, Miller of El Dorado, Naphtaly, O'Connell, Power, Sammons, Thomas and Waldron—23.

Mr. Moynihan gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

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

Lost.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed substitute for Assembly Bill No. 237—An Act legalizing the organization of Swamp

Land District Number Seventy-seven, in the County of Colusa, and the assessment and levy of taxes therein for reclamation purposes.

MARTIN (of Butte), Chairman.

On motion of Mr. Miller of Marin, Assembly Bill No. 594—An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the construction of wagon roads in said county—was taken up and amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

On motion of Mr. Scarce, Assembly Bill No 237—An Act legalizing the assessment and levy of taxes for reclamation purposes in Swamp Land District Number Seventy-seven, in the County of Colusa—was taken up.

Read a third time and passed; title approved

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, February 25th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain

Journal of yesterday read and approved.

Messrs Gildea, Murphy of Del Norte and all the absentees were granted leave of absence for one day.

REPORTS OF STANDING COMMITTEES.

Mr. Naphtaly, from the Judiciary Committee, made the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred Senate Bill No. 94—An Act to authorize the formation of special partnerships—respectfully report that they have had the same under consideration, and report the bill back and recommend its passage.

They have also considered Assembly Bill No. 294—An Act to authorize and empower Joshua A. Neal to sell and convey all the interest, property and estate of Maria Neal and Josefa Neal, minor children of said Joshua and Bernal Neal, in certain lands in Alameda County—and respectfully report the same back, with an amendment, and recommend the passage of the bill as amended.

They have also considered Constitutional Amendment No. 1, proposed in the Assembly, and respectfully report the same back and recommend the adoption of the amendment.

They have also considered Assembly Constitutional Amendment No. 2, and respectfully report the same back, with an amendment, and recommend the adoption of the constitutional amendment as amended.

NAPHTALY, Chairman.

Mr. Romer, from the Committee on Railroads and Telegraphs, made the following report :

MR SPEAKER: The Committee on Railroads and Telegraphs, to whom was referred Assembly Bill No. 256—An Act to authorize the Board of Supervisors of San Joaquin County to donate one hundred thousand dollars to the Stockton and Copperopolis Railroad Company and to provide for the payment of the same, and other matters relating thereto—report the same back, with a substitute, and recommend the passage of the substitute.

Also, have had under consideration Assembly Bill No 264—An Act to authorize the County of Santa Cruz to aid in the construction of railroads and other roads in said county, and for other purposes pertaining thereto—and report the same back, with amendments, and recommend the passage of the bill as amended. Accompanying said bill and relating thereto, your committee return a remonstrance from the citizens of Santa Cruz County.

Also, have made diligent inquiry, in accordance with a resolution of this Assembly, to wit: "That the Committee on Railroads and Telegraphs be instructed to inquire what legislation, if any, is necessary to secure to all editors or individuals equal access to the use of the telegraph wires for the transmission of dispatches, without discrimination or favor either to combinations or individuals," and report that no discrimination whatever is made between combinations or individuals; that equal access is afforded to all classes in the use of telegraph wires, and that in view of the above facts they do not consider any legislation whatever, concerning telegraphs in this State, necessary, beyond a law determining a maximum rate to be charged by said companies.

Also, considered Assembly Bill No 412—An Act entitled an Act to authorize the Mayor and Common Council of the City of Stockton, in the County of San Joaquin, to donate one hundred thousand dollars to the Stockton and Copperopolis Railroad Company and to provide for the payment of the same, and other matters relating thereto—and recommend its passage

ROMER, Chairman.

Mr. McClaskey, from the Committee on Swamp and Overflowed Lands, made the following majority report :

MR SPEAKER: The committee, to whom was referred substitute for Senate Bill No 53—An Act to authorize the sale and conveyance to the San Mateo Tanning and Manufacturing Company certain overflowed lands in the County of San Mateo, approved March thirtieth, eighteen hundred and sixty-eight—have had the same under consideration, report the bill back and recommend its indefinite postponement.

Also, Assembly Bill No 30—An Act to repeal an Act to authorize the

sale and conveyance to the San Mateo Tanning and Manufacturing Company certain overflowed lands in the County of San Mateo, approved March thirtieth, eighteen hundred and sixty-eight—have had the same under consideration, report the bill back and recommend that it be indefinitely postponed.

McCLASKEY,
KELLEY,
SCARCE,
DOSS,
THURSTON,
O'CONNELL,
OATES.

Mr. Duffy submitted a minority report from members of the same committee, reporting in favor of the passage of the bill

[For report, see Appendix]

On motion of Mr. Lambert, the majority and minority reports were ordered printed.

Mr. Eichelroth was granted leave of absence for two days

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 297—An Act to authorize the Treasurer of Tuolumne County to pay certain outstanding warrants against said county.

And this day, at three o'clock and thirty minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee

Mr. G. R. B. Hayes, from the Committee on Military Affairs, made the following report :

Mr. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 50—An Act to indemnify Company B, First Regiment of Infantry, Second Brigade, National Guard of California, for losses by fire—have had the same under consideration and herewith report the same back and recommend its passage.

They have also had under consideration Senate Bill No. 356—An Act to provide military instruction in the University of California, and to authorize the Governor to call into service the retired officers of University Cadets in case of war or insurrection—and herewith report the same back, with a recommendation that it do not pass.

G. R. B. HAYES, Chairman

Mr. G. R. B. Hayes, from the Committee on Engrossment, made the following report :

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 435—An Act amendatory of and supplementary to an Act, approved the twenty-fifth of April, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

G. R. B. HAYES, of Committee

REPORTS OF SELECT COMMITTEES

Mr Shoemaker from the Santa Clara delegation, made the following report:

MR SPEAKER: The Santa Clara delegation, having considered Senate Bill No 41—An Act to amend section one of an Act entitled an Act to authorize the issue of bonds by the County of Santa Clara to complete the Court-house of said county and to erect a county jail—recommend the passage of the same, as amended.

MURPHY,
SHOEMAKER,
THOMAS.
For Delegation

Mr Waldron from the Placer delegation, made the following report.

MR SPEAKER: The Placer delegation, to whom was referred Assembly Bill No 446, report the same back and recommend its passage.

WALDRON, for Delegation

Mr. Freeman, from the Sacramento delegation, made the following report:

MR SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No 441—An Act entitled an Act to authorize the Board of Trustees of the City of Sacramento to allow a certain claim therein mentioned—have had the same under consideration and beg leave to report the same back and recommend its passage.

FREEMAN, for Delegation.

Mr Martin of Butte, from the Butte delegation, made the following report:

MR. SPEAKER: The delegation from Butte County, to whom was referred Assembly Bill No 209, respectfully report the same back and recommend its passage

MARTIN (of Butte), for Delegation

Assembly Bill No. 209—An Act to authorize the Auditor of Butte County to issue a warrant to W S Reese—above reported, was, on motion of Mr Martin of Butte, taken up under a suspension of the rules and placed on its third reading and passage.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

MOTIONS AND RESOLUTIONS.

Mr. Brown of Amador offered the following:

Resolved. That the Committee on Railroads be requested to report to the House, on to-morrow, Assembly Bill No 194—An Act authorizing J C Shipman and others to erect and maintain a railroad from Galt, Sac-

ramento County, to Ione City, Amador County—for the consideration of this House

Mr. Romer, Chairman of the Committee on Railroads, asked leave to report the bill at this time

The Speaker stated it could be done if no objections were made.

Mr. Brown of Amador rose to a point of order, stating the resolution offered by him, requesting the committee to report on the bill to-morrow, was before the House

When the question to allow the committee to report to-day was put and agreed to.

Mr. Romer, for the committee, verbally reported back the bill, recommending its indefinite postponement

Mr. Hillin moved to refer the bill back to the Committee on Railroads, to report on the same to-morrow

Lost.

Mr. Fortune asked leave to record his vote in the affirmative on the question of referring Assembly Bill No. 68, with special instructions, as offered by Mr. McMillan on yesterday.

The House refused.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Naphtaly—An Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one

Read first and second times and referred to the Judiciary Committee

By Mr. Berry—An Act to authorize the Board of Supervisors of Sutter County to construct a bridge across the tule at or near the point where the Stone road now crosses said tule, and collect tolls thereon.

Read first and second times and ordered on general file.

By Mr. Carothers—An Act to declare Old San Joaquin River and Indian or Pescadero Slough a navigable stream.

Read first and second times and referred to the Committee on Commerce and Navigation

By Mr. G. R. B. Hayes—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street in said city and county, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street

Read first and second times and referred to the Judiciary Committee.

By Mr. Johnson—An Act fixing the salary of the Deputy Secretary of State

Read first and second times and referred to the Committee on Fees and Salaries.

By Mr. Henley of Sonoma—An Act to provide for the location and laying out of a public road from Russian River, in Sonoma County, to the Gualalla River, in Sonoma County

Read first and second times and ordered on the general file.

GENERAL FILE

Assembly Bill No. 244—An Act to authorize the Board of Supervisors of the City and County of San Francisco to provide plans for a proper system of grades and sewers.

Read a third time and passed; title approved.

Assembly Bill No 213—An Act amending an Act entitled an Act supplementary to an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba and Santa Clara, approved May seventeenth, eighteen hundred and sixty-one

Read a third time and passed; title approved.

Assembly Bill No 239—An Act to promote the study of anatomy.

Read a third time and passed; title approved.

Assembly Bill No. 325—An Act amendatory of an Act entitled an Act to provide for establishing, maintaining and protecting public and private roads in the County of Contra Costa.

Read a third time and passed; title approved.

Assembly Bill No 119—An Act to provide for the improvement of the rivers and streams in Santa Clara County.

Read a third time and passed; title approved

Senate Bill No. 69—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof.

Read a third time and passed; title approved.

Assembly Bill No 324—An Act concerning estrays and animals found running at large in the County of Santa Cruz

Amended, upon motion of Mr. Blankenship, by unanimous consent, by inserting Monterey in the bill

Read a third time and passed; title amended.

Senate Bill No 44—An Act relating to certificates of incorporation
Amendments adopted

Read a third time and passed; title approved

Senate Bill No. 79—An Act for the regulation of sailors' boarding houses and shipping offices in San Francisco.

Amendments adopted

Read a third time and passed; title approved.

Senate Bill No. 160—An Act authorizing the construction of a railroad bridge in Napa County.

Indefinitely postponed

Senate Bill No 235—An Act to amend an Act entitled an Act concerning the Courts of justice of this State, approved April twentieth, eighteen hundred and sixty-eight

Read a third time and passed; title approved.

Senate Bill No 265—An Act to appropriate money for the payment of curtains, carpets and matting for Senate and Assembly Chambers.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back without amendment and passage recommended.

Mr. Hihn moved to refer the bill to the Committee on Ways and Means.

Lost.

Read a third time and passed; title approved.

On motion of Mr. Ryan, Assembly Bills Nos 29 and 39, and the substitute for the bills, were taken from the file and referred to the San Francisco delegation

Senate Bill No 310—An Act amendatory of and supplementary to an Act entitled an Act to provide for the construction of the State Capitol in the City of Sacramento, approved March twenty-ninth, eighteen hundred and sixty.

Read a third time.

Mr Duffy moved to refer to the Committee on Ways and Means.

Mr Lambert moved the previous question.

Sustained.

On the passage of the bill, the ayes and noes were demanded by Messrs. Duffy, Waldron and Calderwood, and it passed, by the following vote:

AYES—Messrs Andrews, Appling, Berry, Blankenship, Brown of Amador, Brown of Yuba, Coronel, Crigler, Doss, Escandon, Fortune, Freeman, Fryer, Green, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Sonoma, Hihu, Horan, Hubner, Hudson, Inman, Johnson, Kelley King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Robinson, Ryan, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thurston, Young and Mr. Speaker—56

NOES—Messrs. Calderwood, Carothers, De Haven, Duffy, Koutz, Lewelling, Power, Sammons, Waldron, Williams and York—11.

Title approved

Senate Bill No. 165—An Act in relation to the Omnibus Railroad Company in the City and County of San Francisco

Amended and amendment adopted

Read a third time and passed; title approved.

Senate Bill No. 357—An Act to confirm the action of the Board of Trustees of the City of Vallejo, in relation to certain privileges granted to the Vallejo City Water Company

Read a third time and passed.

Senate Bill No. 187—An Act for the relief of Caleb Dorsey, District Attorney of Tuolumne County.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY

Bill reported back and, upon motion, referred to the Judiciary Committee.

Senate Bill No 104—An Act to amend an Act entitled an Act to provide for street railroads in the City and County of San Francisco.

Read a third time and passed; title approved.

Senate Bill No. 239—An Act granting to the North Beach and Mission Railroad Company certain rights therein named.

Read a third time and passed; title approved

Senate Bill No. 216—An Act to repeal an Act entitled an Act concerning crimes and punishments, approved April first, eighteen hundred and sixty-four.

Read a third time and passed; title approved

Assembly Bill No. 85—An Act to repeal the Registry Act—was taken taken up out of its order on the file, on motion of Mr. Andrews.

The bill was made the special order for three o'clock p. m.

SENATE MESSAGES

On motion of Mr. McMurry of El Dorado, the rules were suspended to take up the following Senate messages :

SENATE CHAMBER,
February 25th, 1870. }

MR SPEAKER : I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, substitute for Assembly Bill No. 272—An Act regulating fees and salaries of officers and defining their duties, in the County of El Dorado, and other matters relating thereto

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
February 25th, 1870. }

MR SPEAKER : I am directed to inform the Assembly that the Senate, on yesterday, passed Senate Bill No. 448—An Act to authorize the Treasurer of Tuolumne County to apportion certain money of the Current Expense Fund of said county, and to pay certain warrants.

Also, passed Senate Bill No. 323—An Act to provide for the liquidation of the indebtedness of the County of Santa Barbara, and to repeal sections eight and eleven of an Act entitled an Act to fix the compensation of officers, to provide for funding the county debt of Santa Barbara and to prohibit the contracting of any new indebtedness against said county, approved April fourth, eighteen hundred and sixty-four.

Also, passed Senate Bill No 101—An Act to establish a State Board of Health.

Also, passed Senate Bill No. 393—An Act to provide for the construction and maintenance of a wagon road in Lake County.

Also, passed Senate Bill No. 301—An Act to divide the State into congressional districts, and to fix the time to elect Representatives to Congress.

Also, passed Senate Bill No. 93—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, passed Senate Bill No. 204—An Act to protect the rights of married women in certain cases.

Also, passed Senate Bill No 141—An Act supplemental to an Act entitled an Act to create a Board of Supervisors in the counties of this State, and defining their duties.

Also, passed Assembly Bill No. 25—An Act to pay certain outstanding indebtedness of the County of Mono

And indefinitely postponed Assembly Bill No. 21—An Act to amend an Act entitled an Act to protect sheep and goats against the ravages of dogs

And passed Assembly Bill No. 253—An Act to authorize the Board of Supervisors of Sonoma County to transfer certain money from the General Fund to the Road Fund.

Also, passed Senate Bill No. 153—An Act to equalize taxation among the counties of this State.

Also, passed Senate Bill No. 331—An Act supplemental to a Act entitled an Act to authorize the Board of Managers of the San Fran-

cisco Orphan Asylum, or any other orphan asylum in this State, to bind out apprentices, clerks, servants, etc.

Also, passed Senate Bill No. 314—An Act authorizing the Lying-in Hospital and Foundling Asylum to take charge of, bind out and give away children coming under their care.

Also, passed Assembly Bill No. 267—An Act to authorize W. W. Fowler, George F. Hooper, and their associates and assigns, to lay down gas pipes in the City of San Diego.

Also, passed Assembly Bill No. 152—An Act for the relief of Patrick Creighton, James Brennan and Patrick Donohue.

CURTIS,
Assistant Secretary

CONSIDERATION OF SENATE MESSAGES.

Substitute for Senate Bill No. 272, above reported, read first and second times and referred to the El Dorado delegation.

Assembly Bill No. 267, above reported, Senate amendments to the bill concurred in.

At half-past twelve o'clock P. M. the House took a recess

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

SENATE MESSAGES RESUMED.

Senate Bill No. 323, above reported, read first and second times and referred to the Santa Barbara delegation.

Senate Bill No. 448, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 153, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 141, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 93, above reported, read first and second times and referred to the Judiciary Committee.

Substitute for Senate Bill No. 204, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 214, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 331, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 393, above reported, read first and second times and referred to the Committee on Roads and Highways.

Senate Bill No. 301, above reported, read first and second times and referred to the Committee on Elections.

Senate Bill No. 101, above reported, read first and second times and referred to the Committee on State Hospitals.

GENERAL FILE RESUMED

Senate Bill No. 142—An Act to amend an Act entitled an Act to regulate proceedings in civil cases.

Read a third time and passed; title approved

Assembly Bill No. 283—An Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada—was taken up, on motion of Mr. Slicer.

Amendments to the substitute adopted

Substitute adopted

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

On motion of Mr. Slicer, the rules were further suspended and the bill ordered transmitted immediately to the Senate.

REPORT.

Mr. Hihn, from the Committee on Fees and Salaries, by leave, made the following report:

Mr. SPEAKER: The Committee on Fees and Salaries herewith beg leave to report back two petitions for the increase of the salary of the Assessor of Humboldt County.

HIHN, Chairman

On motion of Mr. De Haven, the petitions were ordered transmitted to the Senate.

GENERAL FILE CONTINUED.

Senate Bill No. 228 passed on the file.

Senate Bill No. 126—An Act to ratify and confirm a certain conveyance made by the Board of Education of the City and County of San Francisco

Read a third time and passed; title approved.

Senate Concurrent Resolution No. 29—Relative to granting leave of absence to J. W. Bost

Read a third time and passed; title approved.

Senate Bill No. 263—An Act to confirm a certain ordinance and contract relating to lighting the streets in the City of Oakland.

Read a third time and passed; title approved.

Senate Bill No. 242—An Act to transfer certain funds to the Common School Fund of the County of Butte.

Read a third time and passed; title approved

At two o'clock P. M. Mr. Moynihan moved to reconsider the vote by which the Assembly, on yesterday, passed Assembly Bill No. 68.

Mr. Satterwhite moved the previous question.

On which the ayes and noes were demanded by Messrs. Fortune, Moynihan, and Martin of Siskiyou, and the House refused to order the main question, by the following vote:

AYES—Messrs. Appling, Blankenship, Calderwood, Doss, Fryer, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Hubner, Johnson, King, Lambert, Martin of Butte, McClaskey, McMurry of El Dorado, Merritt, Miller of Marin, Mooney, Munday, Newell, Oates, Odell, Pool, Robinson, Romer, Satterwhite, Stephens, Thurston, Waldron, Williams, York and Mr. Speaker—34.

NOES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Brown of Yuba, Carothers, Coronel, Crigler, De Haven, Duffy, Fortune, Freeman, Green, G. R. B. Hayes, Hihn, Hudson, Inman, Kelley, Koutz, Lewelling,

Martin of Siskiyou, McMillan, McMurry of Trinity, Miller of El Dorado, Moynihan, Murphy of Santa Clara, Naphtaly, O'Connell, Power, Ryan, Sammons, Scarce, Shoemaker, Shores, Slicer and Thomas—36.

SPECIAL ORDER.

At three o'clock P. M. the special order—Assembly Bill No. 85—was taken up.

On motion of Mr. Haile, the special order was discharged and the bill was ordered at the top of the file for to-morrow.

On the motion of Mr. Moynihan to reconsider the vote passing Assembly Bill No. 68, the ayes and noes were demanded by Messrs. Haile, Moynihan, and Martin of Siskiyou, and the House refused, by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Brown of Yuba, Carothers, Coronel, De Haven, Duffy, Escandon, Fortune, Freeman, Fryer, Green G. R. B. Hayes, Hihn, Hudson, Koutz, Lewelling, Martin of Siskiyou, McMillan, McMurry of Trinity, Miller of El Dorado, Moynihan, Murphy of Santa Clara, Naphtaly, O'Connell, Power, Ryan, Sammons, Scarce, Slicer and Thomas—33.

NOES—Messrs. Appling, Blankenship, Calderwood, Crigler, Doss, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Johnson, Kelley King, Lambert, Martin of Butte, McMurry of El Dorado, Merritt, Miller of Marin, Mooney, Newell, Oates, Odell, Pool, Robinson, Romer, Satterwhite, Shoemaker, Shores, Stephens, Thurston, Waldron, Williams, York, Young and Mr. Speaker—38.

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
Saturday, February 26th, 1870 }

House met pursuant to adjournment.

Speaker in the chair

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Rockwell was granted leave of absence until Tuesday next, and the absentees for one day.

REPORTS OF STANDING COMMITTEES.

Mr. Naphtaly, from the Judiciary Committee, made the following report :

Mr. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 413—An Act to legalize, ratify and confirm deeds of conveyance and grants of lands within the pueblo lands of San Diego—respectfully report that they have had said bill under consideration, report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 380—An Act to create the Nineteenth Judicial District—respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 432—An Act for the relief of Lovick P. Hall and Samuel J. Garrison—respectfully report the same back and recommend the passage of the bill.

NAPHTALY, Chairman.

Mr. McClaskey, from the Committee on Swamp and Overflowed Lands, made the following report:

Mr. SPEAKER: Your committee, to whom was referred Assembly Bill No. 157—An Act to authorize the Board of Supervisors of Fresno County to borrow certain moneys from the Swamp Land Fund—have had the same under consideration, report the bill back and recommend its indefinite postponement.

McCLASKEY, Chairman

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 391—An Act to provide a Contingent Fund for the use of the Legislature.

And this day, at two o'clock and twenty minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee

Mr. Kelley, from the Committee on Agriculture, made the following report:

Mr. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 225—An Act to encourage the production and manufacture of sugar, from sugar beets, in California—have had the same under consideration and beg leave to make the following report: While the committee are fully sensible of the great importance to the State to foster and encourage the production of all classes of agricultural products and to aid and assist a greater diversity of agricultural pursuits; they do not believe that the object to be attained by the people of the State will be fully realized by the provisions of the bill under consideration. While thousands of dollars have been paid for premiums for mechanical and agricultural products, under and by virtue of the Act of eighteen hundred and sixty-two, your committee have failed to find any published statement of any of the characteristics of production of manufactured articles or of agricultural products, as contemplated by the provisions of said Act; thus denying to the people of the State, who are interested, the benefits sought to be obtained from the results of State bounties, although taxed for their payment.

We believe that all premiums for the production of any article relating or intimately connected with any branch of agriculture, should be offered and entirely controlled by the State Agricultural Society, an institution recognized and assisted by the State, whose voluminous and able reports of their transactions are distributed by the society throughout the agricultural districts, enabling the farmers and all interested to learn the practical results, from the distribution of all premiums offered for encouragement in any branch of agricultural pursuits; and we would recommend that a sufficient sum be appropriated and set apart from their annual appropriation for the encouragement of agricultural products; and that a full and succinct statement of the planting, growing, harvesting and cost of production be required from each and every exhibitor claiming any premiums therefor, and be published in the reports of the society's transactions.

Therefore, in consideration of the views set forth above, we respectfully report the bill back and recommend its indefinite postponement

KELLEY,
SCARCE,
INMAN,
POOL.

Mr. Horan, from the Committee on Claims, made the following report :

MR. SPEAKER: Your committee, to whom was referred Senate Bill No. 411—An Act for the relief of Henry N. Morse, Sheriff of Alameda County—having had the same under consideration, respectfully report the same back and recommend that it pass.

Also, Senate Bill No. 180—An Act for the relief of S. D. Smith—having considered the same, recommend its passage

Also, Senate Bill No. 249—An Act for the relief of Gordon E. Sloss—having considered said bill, recommend that it pass

Also, Assembly Bill No. 369—An Act for the relief of Amos Roberts, Sheriff of Solano County—having had the same under consideration, recommend its passage

Also, the petition of the Hibernia Greens referred to your committee—having considered the same, recommend its passage.

All of which is respectfully submitted

HORAN, Chairman.

Mr. Lambert, from the Committee on Ways and Means, made the following report :

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No. 395—An Act concerning revenue—have had the same under consideration, and report it back and recommend the indefinite postponement of the same

They have also considered Assembly Bill No. 309—An Act to authorize the State Treasurer to surrender certain bonds—and report the same back with a substitute, and recommend the passage of the substitute.

Also, Senate Concurrent Resolution No. 24—Relative to taxing distilleries—and report the same back and recommend that it be referred to the Committee on Federal Relations.

LAMBERT, Chairman.

Mr. Griswold, from the Railroad Committee, submitted the following report :

MR SPEAKER : The Railroad and Telegraph Committee have had under consideration Assembly Bill No. 345—An Act to authorize the San Diego and Gila Southern Pacific and Atlantic Railroad Company and its assigns to construct, maintain and use a wharf or wharves in front of pueblo lots eleven hundred and sixty-three and eleven hundred and sixty-four, at South San Diego, in the County of San Diego—and report the same back, recommending its passage.

ROMER, Chairman.

REPORTS OF SELECT COMMITTEES

Mr. Waldron, from the Placer delegation, made the following report :

MR. SPEAKER : The Placer delegation, to whom was referred Senate Bill No. 420—An Act entitled an Act to provide for the collection of revenue in the County of Placer—beg leave to present a substitute, and recommend its passage as a substitute.

WALDRON, for Delegation.

On motion of Mr. Waldron. the rules were suspended, and the above reported bill taken up for consideration

The substitute, as reported, was read

Mr Hahn moved to refer the bill to the Committee on Fees and Salaries.

So ordered

GOVERNOR'S MESSAGES.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 25th, 1870.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 391—An Act to provide a Contingent Fund for the use of the Legislature.

H. H. HAIGHT,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 25th, 1870.

To the Assembly of the State of California :

I herewith return to your honorable body, without approval, Assembly Bill No 297—An Act to authorize the Treasurer of Tuolumne County to pay certain outstanding warrants against said county.

This bill is returned at the request of members of both houses from Tuolumne County, who inform me that it was passed under a misapprehension of facts, and that it ought not to become a law. The reasons for this conclusion will doubtless be stated, if necessary, by the local delegation

H. H. HAIGHT,
Governor

On motion of Mr. Lambert. the Governor's message, returning by request Assembly Bill No 297. was temporarily laid on the table until the return of the author of the bill.

MOTIONS AND RESOLUTIONS.

Mr. Naphtaly offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That his Excellency the Governor be requested to forward the National flag manufactured in this State, for presentation to the Congress of the United States, to the California delegation, with the request that it be presented to Congress in such a manner as to them may seem best.

Adopted.

Mr McMillan offered a resolution, that Thomas Johnson be appointed a Porter, to take charge of the gallery and the stairway leading thereto, at a per diem of four dollars

Referred to the Committee on Contingent Expenses.

On motion of Mr. G. R. B. Hayes, Assembly Bill No 50 was referred back to the Military Committee.

Mr. Munday offered a resolution, authorizing the Sergeant-at-Arms to furnish members of the House with postage stamps to the amount of ten dollars, in addition to the amount already furnished

Mr. Brown of Amador moved to amend by striking out "ten" and inserting "fifteen" dollars.

Lost.

When the resolution was adopted.

Subsequently Mr. Martin of Butte moved to reconsider the vote by which the resolution was adopted

On which the ayes and noes were demanded by Messrs. Biggs, Crigler, and Martin of Siskiyou, and the motion prevailed. by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Crigler, Duffy, Freeman, Haile, G. R. B. Hayes, Hihn, Hubner, Inman, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Power, Robinson, Ryan, Sammons, Shoemaker, Shores, Slicer and Thurston—35

NOES—Messrs Appling, Brown of Amador, Carothers, Colonel, De Haven, Escandon, Fortune, Fryer, Green, Griswold, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Johnson, Kelley, King, Lewelling, McClaskey, Moynihan, Munday, Murphy of Del Norte and Klamath, Newell, Pool, Satterwhite, Stephens, Williams, Young and Mr. Speaker—30.

Mr. Brown of Amador moved to lay the resolution on the table.

Lost.

The resolution was referred to the Committee on Contingent Expenses.

Mr. Naphtaly offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives requested, to obtain

an appropriation from the Congress of the United States, for the construction of a suitable building for the uses of the United States Government, on the block of land situated in the City and County of San Francisco, and known as the Custom-house Block, which land was, by an Act passed May third, eighteen hundred and fifty-four, donated by the State of California to the Government of the United States, for the purpose of erecting and continuing thereon a Custom-house and other necessary buildings for the use of the United States

Read first and second times and referred to the Committee on Federal Relations.

On motion, Mr. Blankenship was allowed to withdraw from the further consideration of the House, Assembly Bill No. 305.

REPORTS.

Mr. McMurry of El Dorado, from the El Dorado delegation, by leave, made the following report :

MR SPEAKER : The El Dorado delegation, to whom was referred Senate Bill No. 272—An Act to regulate fees and salaries of officers and defining their duties, in the County of El Dorado, and other matters relating thereto—have had the same under consideration and report it back, with the recommendation that it pass.

McMURRY (of El Dorado), for Delegation.

On motion of Mr McMurry of El Dorado, the rules were suspended and the bill was taken up for consideration

Mr. Hihn offered an amendment.

Adopted

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Inman, from the Alameda delegation, by leave, made the following report :

MR. SPEAKER : The Alameda delegation, to whom was referred substitute for Senate Bill No. 154, have had the same under consideration and report the same back, with a recommendation that it pass

INMAN, for Delegation.

NOTICE.

Mr. G. R. B. Hayes, gave notice of a bill for an Act for the relief of J. J. McCreedy and his creditors.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Martin of Butte—An Act to authorize and empower Geo. F. Nourse, of the Town of Chico and County of Butte, his associates or assigns, to build and run a street railroad from Chico Landing, on the Sacramento River, to the Town of Chico, Chico Township, Butte County, and for branch lines thereto.

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

By Mr. Horan—An Act to authorize payment for work done in Swamp Land District Number Two.

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

By Mr. O'Connell—An Act for the relief Peter E. Farrell.

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

Also, an Act to provide a street railroad in the City and County of San Francisco.

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

By Mr. Fortune—An Act to authorize the County of Marin to donate to a railroad company, and to provide for the payment of the same.

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

By Mr. Berry—An Act to authorize the Treasurer of Sutter County to transfer money from the General Fund to the Hospital Fund of said county.

Read first and second times and ordered on the general file.

By Mr. McMillan—An Act to provide for the changing of the grades of certain streets in the City and County of San Francisco.

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

Also, an Act to grant to certain persons the right of way for a railroad, and to maintain the same within the corporate limits of the City and County of San Francisco and adjacent thereto.

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

By Mr. Odell—An Act concerning the revenue and revenue officers of the County of Sacramento.

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

By Mr. Miller of El Dorado—An Act to provide for the payment of taxes in certain cases.

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

By Mr. Biggs—An Act to prescribe the duties of certain officers in the County of Butte.

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

Also, an Act granting lands in certain cases to the United States.

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

By Mr. Hubner—An Act concerning Justices of the Peace in the City of Stockton.

Read first and second times and, by unanimous consent, read a third time and passed; title approved.

REPORTS.

Mr. G. R. B. Hayes, from the San Francisco delegation, made the following report, by leave:

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 228—An Act to grant to certain persons the right of way for a railroad track within the corporate limits of the City and County of San Francisco, and to run horse cars thereon—have had the

same under consideration and herewith report it back and recommend its passage.

RYAN,
NAPHTALY,
GRISWOLD,
McMILLAN,
G. R. B. HAYES,
ROMER,
M. HAYES,
O'CONNELL,
ROGERS.

Mr Moynihan gave notice that he would submit a minority report on or before Thursday next.

Mr Hubner, from the Committee on Public Morals, by leave, made the following report :

Mr SPEAKER : The Committee on Public Morals, to whom was referred Assembly Bill No. 104—An Act concerning corporations for charitable and beneficial purposes—recommend the passage of said bill.

HUBNER, Chairman.

Mr. Rogers offered a concurrent resolution in reference to the Presidio Reservation, near the City of San Francisco, instructing our Senators and requesting our Representatives in Congress, to use all means in their power to secure the passage of an Act of Congress dedicating the lands above described for the purpose of a public park.

Read first and second times and ordered on general file.

GENERAL FILE.

On motion of Mr. Fryer, the rules were suspended to take up Assembly Bill No. 289—An Act to create the County of Anaheim, to define its boundaries, etc.

Amendments adopted.

Mr. Corone! offered the following amendment :

Substitute for section twenty-seven the following: " At the next general county election, in the County of Los Angeles, the question of the division of said county shall be submitted to a vote of all citizens of said county voting at said election, and who shall be entitled to have written or printed on the ballots voted by them " Anaheim—yes " or " Anaheim—no," and if a majority of the votes so taken shall be in the affirmative, then this Act shall take effect and go into operation, but otherwise it shall be of no effect."

At half-past twelve o'clock P. M. the House took a recess

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

Messrs Hudson, Moynihan, Pool, Miller of El Dorado, and McClaskey were granted leave of absence for the remainder of the day.

Assembly Bill No. 289 resumed.

On adopting the amendment offered by Mr. Coronel, the ayes and noes were demanded by Messrs Doss, Mooney and Carothers, and the House refused, by the following vote :

AYES—Messrs. Coronel, Doss, Hihn, Miller of Marin, Murphy of Santa Clara and Mr. Speaker—6

NOES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Crigler, Duffy, Escandon, Finney, Freeman, Fryer, Green, Griswold, Haile, G. R. B. Hayes, Henley of Mendocino, Horan, Hubner, Inman, Johnson, Kelley, Koutz, Lambert, Lewelling, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Munday, Naphtaly, Newell Power, Sammons, Satterwhite, Scarce, Shores, Slicer, Stephens, Thurston, Williams and Young—44

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

REPORT.

Mr. Newell, from the Committee on Engrossment, made the following report :

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 394—An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the construction of wagon roads in said county.

Also, Assembly Bill No. 318—An Act to authorize C. A. Niles, W. S. Greenwood, C E Baldwin and G. S Morton, and their assigns, to construct and maintain a wharf, chute and flume at or near the mouth of Greenwood Creek, and to charge and collect tolls for the use of the same

Also, Assembly Bill No 357—An Act to allow the claim of J. A Eagan against the County of Amador

Also, Assembly Concurrent Resolution No 30—For the establishment of a daily mail from San José to Almaden

Also, Assembly Bill No. 350—An Act authorizing the condemnation of private property within the limits of the public streets of the City and County of San Francisco, within the Laguna survey.

Also, substitute for Assembly Bill No 283—An Act to regulate the salaries and fix the compensation of certain county officers of the County of Nevada

NEWELL, of Committee

Mr Hubner submitted a statement of the Treasurer of the State Insane Asylum

Received and referred to the Committee on Ways and Means

SENATE MESSAGES

The following Senate messages were taken up, on motion of Mr. Lambert :

SENATE CHAMBER, }
February 26th, 1870 }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Senate Bill No. 66—

An Act to provide for the welfare and increase the efficiency of the California Institution for the Deaf, Dumb and Blind

Also, amended and passed, under suspension of the rules, Assembly Bill No. 99—An Act to grant the right of way for a railroad track within the corporate limits of the City of Vallejo, in the County of Solano, to Edward McGettigan and Henry Conolly, their associates and assigns.

MARDIS,
Assistant Secretary

SENATE CHAMBER,
February 26th, 1870 }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on Thursday last, passed substitute for Senate Bill No 185—An Act to provide for the reclamation of swamp, salt marsh, tide and other overflowed lands

Also, on the twenty-fourth instant, passed Senate Bill No 458—An Act entitled an Act to amend an Act concerning roads and highways in the Counties of Mariposa and Tulare, approved January seventeenth, eighteen hundred and sixty-six, approved March thirteenth, eighteen hundred and sixty-eight

And, on this day, adopted the following resolution :

Resolved by the Senate, That Assembly Bill No 15—An Act amendatory of and supplementary to an Act entitled an Act relative to the office of District Attorney of the County of Sacramento, approved March sixteenth, eighteen hundred and sixty-four—be returned to the Assembly, and that the Assembly be respectfully requested to have the bill engrossed as it passed that body, with such amendments as were adopted, the amendments attached to the bill not being verified by any officer.

CURTIS,
Assistant Secretary

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 185, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands

Senate Bill No 458 above reported, read first and second times and referred to the Committee on Roads and Highways

Assembly Bill No 15, above reported by resolution, amendment verified and ordered engrossed.

Senate Bill No 66, above reported, read first and second times and referred to the Committee on Ways and Means

Assembly Bill No 99, above reported, Senate amendments concurred in

REPORT.

Mr. Robinson, from the San Diego delegation, by leave, made the following report :

MR. SPEAKER: The San Diego delegation, to whom was referred Assembly Bill No. 444, have had the same under consideration and report the bill back, with a substitute, and recommend that the substitute be passed.

ROBINSON, for Delegation.

GENERAL FILE CONTINUED

Assembly Bill No. 454—An Act concerning the office of Tax Collector in the Counties of Contra Costa and Santa Cruz

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Senate Bill No. 41—An Act to amend section one of an Act entitled an Act to authorize the issue of bonds by the County of Santa Clara, to complete the Court-house of said county and to erect a county jail, approved March twenty-fifth, eighteen hundred and sixty-eight

Amendments adopted.

Read a third time and passed; title approved.

On motion of Mr. Biggs, Senate Bill No. 93 and Assembly Bill No. 30 were made the special order for Wednesday next, at two o'clock P. M.

Assembly Bill No. 439

Referred to the Amador and Alpine delegation

Mr. Gildea moved that the Railroad Committee be instructed to report the bills regulating fares on railroads, on Wednesday next.

Agreed to.

Mr. Duffy was excused for the remainder of the day.

At two o'clock and forty minutes P. M. Mr. McMurry of El Dorado moved a call of the House.

Lost.

Assembly Bill No. 346—An Act to grant further powers to the Board of Trustees of the City of San Diego and establish the boundaries of said city.

Amendment adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

On motion of Mr. G. R. B. Hayes, Assembly Bill No. 85 was made the special order for Tuesday next, at two o'clock P. M.

Senate Concurrent Resolution No. 18—Relative to petitioning Congress for certain mail routes

Read a third time and passed; title approved.

Assembly Bill No. 421—An Act in relation to the office of Court Commissioner in the County of San Joaquin.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Senate Bill No. 228—An Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County

Mr. Hihn moved to pass the bill on the file

Lost.

Amendment adopted

Mr. Satterwhite moved the previous question.

Sustained

Bill read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Hihn, Thomas and Murphy of Santa Clara, and it passed, by the following vote:

AYES—Messrs. Andrews, Appling, Biggs, Calderwood, Carothers, Crigler, De Haven, Doss, Eichelroth, Finney, Fryer, Haile, Hawley, Henley of Mendocino, Hihn, Inman, Johnson, Kelley, Koutz, Lewelling, McMurry of Trinity, Munday, Murphy of Del Norte and Klamath,

Newell, Power, Sammons, Satterwhite, Scarce, Shores, Slicer, Waldron, Williams, York and Young—35

NOES—Messrs Berry, Blankenship, Brown of Yuba, Coronel, Fortune, Freeman, Green, G. R. B. Hayes, Hubner, Merritt, Miller of Marin, Murphy of Santa Clara, Oates, Stephens, Thomas and Thurston—16.

Title approved.

Mr Hihn gave notice that on Monday he should move to reconsider the vote by which the House passed the bill

Senate Bill No. 116—An Act to fix and regulate the salaries of the Auditor's Clerk and the Deputy Treasurer of the City and County of San Francisco

Read a third time and passed ; title approved.

REPORTS.

Mr Brown of Yuba, from the Committee on Enrolment, made the following reports :

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 25—An Act to pay certain outstanding indebtedness of the County of Mono, incurred prior to the segregation of said county, by virtue of the Act approved April twenty-seventh, A. D. eighteen hundred and sixty-three, to provide for surveying and establishing the eastern boundary of this State.

Also, substitute for Assembly Bill No. 66—An Act for the relief of W. V. McGarvey.

Also, Assembly Bill No. 166—An Act for the relief of Samuel Clayton

Also, Assembly Bill No. 181—An Act for the relief of the District Collectors of Revenue Districts One, Two, Three and Four, in Tuolumne County.

Also, Assembly Bill No. 255—An Act to authorize the Board of Supervisors of Sonoma County to transfer certain money from the General Fund to the Road Fund

Also, Assembly Bill No. 267—An Act to authorize W. W. Fowler, George F. Hooper, and their associates and assigns, to lay down gas pipes in the City of San Diego.

Also, Assembly Bill No. 322—An Act to repeal an Act entitled an Act authorizing the Board of Supervisors of Plumas County to take and subscribe to the capital stock of the Oroville and Virginia City Railroad Company and to provide for the payment thereof.

And this day, at eleven o'clock A. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 152—An Act for the relief of Patrick Creighton, James Brennan and Patrick Donohue

And this day, at three o'clock and thirty minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

At four o'clock P. M., on motion of Mr. Kelley, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, February 28th, 1870 }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Chaplain.

Journal of Saturday read and approved

Mr Miller of El Dorado and all the absentees were granted leave of absence for one day.

PETITION.

Mr McMurry of Trinity, at the request of Mr. Miller of Marin, presented a remonstrance from citizens of Marin County, against the passage of any law relating to the taxation of that county for railroad purposes

Received and referred to the Committee on Corporations.

REPORTS OF STANDING COMMITTEES.

Mr King, from the Committee on Corporations, made the following reports :

MR. SPEAKER : Your Committee on Corporations, to whom was referred Assembly Bill No 339—An Act to create a Board of Levee and Street Trustees in and for the Town of Pacheco, Contra Costa County, and define their powers and duties—have had the same under consideration, and report it back, with amendments, and recommend its passage as amended.

KING, Chairman.

MR. SPEAKER : Your Committee on Corporations, to whom was referred Assembly Bill No. 429—An Act granting a street railroad franchise in the City and County of Sacramento—have considered the same, and report the same back, with amendments, and recommend its passage as amended.

KING, Chairman

GOVERNOR'S MESSAGE.

The message of his Excellency the Governor, returning without his approval Assembly Bill No. 297, which was temporarily laid on the table, was taken up, on motion of Mr. Eichelroth, who stated that he

had introduced the bill under a misapprehension, and that it was returned by the Governor, by request.

The question being, "Shall the bill pass, notwithstanding the objections of the Governor?" the roll was called, and the House refused to so pass the bill, by the following vote:

AYES—Mr Oates—1.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Carothers, Crigler, De Haven, Doss, Eichelroth, Escandon, Finney, Fryer, Griswold, Haile, G. R. B. Hayes, Henley of Mendocino, Hihn, Horan, Johnson, Kelley, King, Lambert, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Munday, Murphy of Santa Clara, Power, Romer, Ryan, Sammons, Satterwhite, Scarce, Shores, Slicer, Thomas, Walden, Waldron, Young and Mr. Speaker—43.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Ryan—An Act to provide for a railroad within the City and County of San Francisco.

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

Also, an Act to provide for a railroad within the City and County of San Francisco.

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

By Mr. Griswold—An Act to define and establish the line and width of East street, between Market and Clay street wharf, in the City and County of San Francisco.

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

By Mr. McMurry of Trinity (by request of Mr. Miller of Marin)—An Act to provide for the construction of a public road in Marin County.

Read first and second times and referred to the Committee on Roads and Highways.

Also, an Act concerning roads and highways in the County of Marin.

Read first and second times and referred to the Committee on Roads and Highways.

By Mr. Haile—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. G. R. B. Hayes—An Act for the relief of Anna Virginia Wakeman

Read first and second times and referred to the Judiciary Committee.

Also, an Act for the relief of James Travers.

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

Also, an Act to authorize the payment of the amount due to the Industrial School at San Francisco, under contract made with it pursuant to the Act to provide for the inmates of the State Reform School, approved March thirtieth, eighteen hundred and sixty-eight.

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

Also, an Act further to define the powers and duties of the Sheriff of the City and County of San Francisco.

Read first and second times and, by unanimous consent, read a third time and passed; title approved.

By Mr. Satterwhite—An Act to fix the fees of witnesses in criminal cases in San Bernardino County.

Read first and second times and, by unanimous consent, read a third time and passed; title approved.

By Mr. Hihn—An Act to provide for the adjustment of certain claims upon the County of San Mateo.

Read first and second times and referred to the Judiciary Committee.

By Mr. Biggs—An Act to amend section two of an Act supplemental to and amendatory of an Act to regulate the interest on money, approved March thirtieth, eighteen hundred and fifty, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Judiciary Committee.

By Mr. Henley of Mendocino—An Act to aid in the construction of a wagon road from Round Valley, in Mendocino County, to Hydesville, in Humboldt County.

Read first and second times and referred to the Committee on Roads and Highways.

GENERAL FILE.

Assembly Bill No 194 was, on motion of Mr. Brown of Amador, referred to the Sacramento and Amador delegations.

Assembly Bill No. 167 was referred to the Judiciary Committee, on motion of Mr. Appling.

Mr. Brown of Amador, by leave, offered a joint resolution providing for the appointment of a joint committee of five, three from the House and two from the Senate, to draft a bill for the prevention of the influx of Asiatics and Mongolians into this State.

Adopted.

Senate Bill No. 324—An Act to authorize the Board of Supervisors of Santa Barbara County to pay the claim of Assa Porter and Augustine Janssens.

Read a third time and passed; title approved.

Senate Bill No. 166—An Act to confer additional powers upon the Board of Supervisors and the County Auditor and Treasurer of the City and County of San Francisco.

Read a third time and passed; title approved.

Senate Bill No 356—An Act to provide military instruction in the University of California, and to authorize the Governor to call into service the retired officers of University Cadets in case of war or insurrection.

Read a third time and passed; title approved.

Senate Bill No 94—An Act to authorize the formation of special partnerships.

Read a third time and passed; title approved.

Senate Bill No 164—An Act to authorize Hiram Tubbs and others to construct and operate a street railroad in the County of Alameda.

Read a third time and passed; title approved.

Senate Bill No. 180—An Act for the relief of S. D. Smith.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Bill reported back and passage recommended without amendment.

Read a third time and passed; title approved.

Senate Bill No. 411—An Act for the relief of Henry N. Morse, Sheriff of Alameda County.

Considered in Committee of the Whole.

[Mr. Haile in the chair.]

IN ASSEMBLY.

Bill reported back, recommending that it be returned to the Senate to correct an error in indorsing the history of the bill.

So ordered

Senate Bill No. 249—An Act for the relief of Gordon E. Sloss.

Considered in Committee of the Whole.

[Mr. Haile in the chair.]

IN ASSEMBLY.

Reported back and passage recommended.

Read a third time and passed; title approved.

Assembly Bill No. 358—An Act authorizing the Mayor and Common Council of the City of Marysville to close up Virgin alley, between Seventh and Eighth streets

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 154 temporarily passed on file.

Assembly Bill No. 344—An Act to provide for the manner of auditing claims against Humboldt County, and to provide for the reduction of taxation therein and expenses thereof.

Section eleven amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

REPORTS.

Mr. Hihn, from the Committee on Fees and Salaries, by leave, made the following report:

MR. SPEAKER: The Committee on Fees and Salaries beg leave to report back Senate Bill No. 420—An Act to provide for the collection of revenue in the County of Placer—with a substitute, and recommend the passage of the substitute.

HIHN, Chairman

On motion of Mr. Waldron the rules were suspended, and the above reported bill and substitute taken up.

Substitute adopted.

Rules further suspended, bill read a third time and passed; title approved

Mr. Green, by leave, introduced a bill for an Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said Calaveras County.

Read first and second times and referred to the Committee on Fees and Salaries.

Mr. Merritt, from the Committee on Counties and County Boundaries, by leave, made the following report:

MR. SPEAKER: The Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 375—An Act to amend an Act entitled an Act to establish the County of Fresno, passed April nine-

teenth, eighteen hundred and fifty-seven—respectfully report that they have had the said bill under consideration, and herewith report the same back with the title thereof amended, and recommend its passage as amended.

MERRITT, Chairman

Assembly Bill No 137 passed on file.

Assembly Bill No. 192 withdrawn by its author.

Assembly Bill No. 276 made the special order for two o'clock P. M

Mr G. R. B Hayes, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 15—An Act amendatory of and supplemental to an Act entitled an Act relative to the office of District Attorney of the County of Sacramento, approved March sixteenth, eighteen hundred and sixty-four.

G. R. B. HAYES. of Committee

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled substitute for Assembly Bill No 99—An Act to grant the right of way for a railroad track within the corporate limits of the City of Vallejo, in the County of Solano, to Edward McGettigan and Henry Conolly, their associates and assigns.

And this day, at eleven o'clock and fifteen minutes A. M., presented the same to the Governor for his approval

BROWN (of Yuba), for Committee

GENERAL FILE RESUMED

Assembly Bill No. 450—An Act concerning public roads and highways in the Counties of Santa Cruz and San Diego.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 144—An Act to locate the county seat of the County of Lake

Mr Ryan moved to indefinitely postpone the bill.

Mr. Mooney moved to refer the bill back to the Committee on Counties and County Boundaries.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M the House reassembled.

Speaker in the chair.

Roll called

Quorum present.

GENERAL FILE RESUMED

Assembly Bill No. 144 continued.

The motion to recommit the bill was lost and the House refused to indefinitely postpone the bill.

On motion of Mr. Murphy of Del Norte, the rules were suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 154—An Act to ratify and confirm certain ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco, and proceedings had thereunder—was now taken up.

Mr. Naphtaly offered an amendment to section one.

Adopted

Mr. Hihn moved that the bill be referred to the San Francisco delegation, with special instructions to report a substitute providing for the amendment of omissions, errors or technical defects in the assessment lists and other proceedings relating to street work in the City of San Francisco, so as to protect the interests of both the property owners and contractors.

Mr. Satterwhite moved the previous question.

Sustained.

The motion of Mr. Hihn was lost.

The bill was ordered engrossed.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Mr. Haile, by leave, introduced a bill for an Act to amend an Act entitled an Act to authorize the Board of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight.

Read first and second times and ordered on general file.

SENATE MESSAGES.

The following Senate messages were taken up, on motion of Mr. Inman :

SENATE CHAMBER,
February 28th, 1870. }

Mr. SPEAKER : I am directed to inform the Assembly that the Senate, on this day, adopted Assembly Concurrent Resolution No 30—Relative to the establishment of a mail route from San José to Alamaden

And corrected the history of Senate Bill No 411—An Act for the relief of Henry N. Morse, Sheriff of Alameda County.

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
February 28th, 1870. }

Mr. SPEAKER : I am directed to inform the Assembly that the Senatè, on this day, amended and passed Assembly Bill No. 71—An Act amendatory of and supplementary to an Act entitled an Act to establish a paid Fire Department in the City and County of San Francisco.

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
February 28th, 1870. }

Mr. SPEAKER : I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, substitute for Senate Bill

No. 146—An Act to divide the City of Oakland into wards and to provide for the holding of elections therein.

MARDIS.
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 411, above reported.
Considered in Committee of the Whole.
[Speaker in the chair.]

IN ASSEMBLY.

Bill reported back and passage recommended.
Read a third time and passed; title approved
Substitute for Senate Bill No. 146, above reported, read first and second times.
Considered in Committee of the Whole
[Speaker in the chair]

IN ASSEMBLY.

Bill reported back without amendment and passage recommended
Read a third time and passed by a unanimous vote; title approved
Assembly Bill No. 71, above reported.
Senate amendments concurred in.

GENERAL FILE CONTINUED.

Assembly Bill No. 356.
Passed on the file
Assembly Bill No. 349—An Act to provide for the building of a bridge and roadway across the Estuary of San Antonio, in the County of Alameda.

Ordered engrossed.

Mr. Lambert was excused for the remainder of the day

Assembly Bill No. 89 ordered to the top of the general file for to-morrow.

Assembly Bill No. 371—An Act concerning Notaries Public in the County of San Joaquin.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 263—An Act for the relief of certain settlers on the outside lands of the City and County of San Francisco.

[Mr. Biggs in the chair.]

Mr. Murphy of Santa Clara moved to recommit to the Judiciary Committee, to report a bill back exempting poor people from such assessments, and providing that such sums exempted shall be paid by the City and County of San Francisco, and report next Friday.

Mr. Duffy offered to amend as follows:

Amend by adding the following additional section: "The committee appointed by the Board of Supervisors of the City of San Francisco, and who choose such sand bills for park purposes, and who received three thousand dollars each for such services, shall and are hereby compelled to pay all assessments heretofore levied against poor men's homesteads for park purposes"

Mr. Gildea offered an amendment to the amendment.

Mr. Blankenship moved the previous question.

Sustained.

The motion to recommit was lost.

The amendment of Mr. Duffy was lost.

When the amendment of Mr. Gildea was adopted.

On the engrossment of the bill, the ayes and noes were demanded by Messrs. Duffy, Appling and Waldron, and it was ordered engrossed, by the following vote:

AYES—Messrs. Appling, Blankenship, Brown of Yuba, Carothers, Crigler, Doss, Eichelroth, Finney, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, Hawley, Henley of Sonoma, Horan, Hudson, Inman, Johnson, Kelley, King, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Newell, Oates, O'Connell, Ryan, Scarce, Shores, Stephens, Thurston, Walden, Williams, York, Young and Mr. Speaker—44.

NOES—Messrs. Andrews, Biggs, De Haven, Duffy, G. R. B. Hayes, Hihn, Hubner, Koutz, McMurry of Trinity, Merritt, Mooney, Naphtaly, Power, Sammons, Satterwhite, Thomas and Waldron—17.

On motion of Mr. McMillan, the rules were suspended, the bill considered engrossed, read a third time and passed; title approved.

At five o'clock and five minutes P. M. Mr. Horan moved to adjourn till seven o'clock this evening.

Lost.

REPORT.

Mr. Newell, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 154—An Act to ratify and confirm certain ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco

NEWELL, for Committee.

Mr. Hihn moved to place Assembly Bill No 276 second on file for to-morrow.

Lost

At five o'clock and ten minutes P. M., on motion of Mr. Murphy of Del Norte, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, March 1st, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Rev. Mr. Gruall.

Journal of yesterday read and approved.

Mr. Miller of Marin and all the absentees were granted leave of absence for one day.

PETITIONS.

Mr. Walden presented a remonstrance of citizens of Stanislaus County, against the passage of any law authorizing the removal of the county seat of said county.

Received and referred to the Committee on Counties and County Boundaries

The Speaker presented, by request, an address of the St. Louis Capital Committee to the Governors and Legislatures, on the Capital question

Received and referred to the Committee on Federal Relations

REPORTS OF STANDING COMMITTEES.

Mr. Martin of Butte, from the Judiciary Committee, made the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred Senate Bill No. 83—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, A. D. eighteen hundred and fifty-one—have had said bill under consideration, and respectfully report the same back and recommend the passage of the bill.

MARTIN (of Butte),
BROWN (of Amador),
LAMBERT,
HENLEY (of Sonoma),
MURPHY (of Del Norte)

Mr. Naphtaly, from the Judiciary Committee, made the following reports:

MR. SPEAKER: The undersigned members of the Judiciary Committee, having had Senate Bill No. 83—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, A. D. eighteen hundred and fifty one—beg leave to report that, having duly considered said bill, they recommend that it do not pass, for the reason that the passage of the bill would not only cause the greatest injury to creditors and others who may have causes of action

against persons, but will increase litigation and the expenses of law suits, and prevent the speedy collection of debts.

NAPHTALY, Chairman.
 RYAN,
 SATTERWHITE,
 DE HAVEN,
 KING,
 G. R. B. HAYES,
 MURPHY.

Mr SPEAKER: The Judiciary Committee, to whom was referred Senate Bill No. 329—An Act to provide for the settlement of statements on appeal and on motion to set aside reports of Commissioners in certain cases—respectfully report that they have had said bill under consideration, and report the same back and recommend the passage of the bill.

They have also considered Senate Bill No. 394—An Act to fix the time of holding the terms of the District Court of the First Judicial District of the State of California—and respectfully report the same back and recommend the passage of the bill

They have also considered Senate substitute for Senate Bill No. 204—An Act to protect the rights of married women in certain cases—and respectfully report the same back and recommend the passage of the substitute

They have also considered Senate substitute for Senate Bill No. 63—An Act to amend an Act concerning divorces, passed March twenty-fifth, eighteen hundred and fifty-one, and an Act supplementary thereto, approved April twenty-fourth, eighteen hundred and fifty-seven—and Senate Bill No. 19—An Act supplemental to an Act concerning divorces, passed March twenty-fifth, eighteen hundred and fifty-one—and respectfully report the same back and recommend the passage of the substitute.

They have also considered Assembly Bill No. 483—An Act for the relief of Anna Virginia Wakeman—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 157—An Act to authorize the Board of Supervisors of Fresno County to borrow certain moneys from the Swamp Land Fund—and respectfully report the same back and recommend that the bill do not pass.

NAPHTALY, Chairman.

Mr. Eichelroth, from the Committee on State Hospitals, made the following report:

Mr. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 418—An Act to obtain and preserve genuine vaccine matter and to provide for the vaccination of the children of this State—have had the same under consideration, and beg leave to report the same back and recommend its passage.

EICHELROTH, Chairman.

Mr. Lambert, from the Committee on Ways and Means, made the following report:

Mr. SPEAKER: The Committee on Ways and Means, to whom was referred Senate Bill No. 66—An Act to provide for the welfare and

increase the efficiency of the California Institution for the Deaf, Dumb and Blind—have had the same under consideration, and herewith report the same back and recommend the passage of the bill

LAMBERT, Chairman.

Mr. Hubner, from the San Joaquin delegation, made the following report :

Mr. SPEAKER: The San Joaquin delegation, to whom was referred Assembly Bill No. 443—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas and Siskiyou—recommend the same do pass.

HUBNER,
THURSTON

Mr. Satterwhite, from the Committee on Public Lands, made the following report :

Mr. SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 472—An Act granting lands in certain cases to the United States—recommend the passage of the bill.

Also, substitute for Senate Bill No 185—An Act for the reclamation of swamp, salt marsh, tide and other overflowed lands—and recommend it be referred to the Committee on Swamp and Overflowed Lands

SATTERWHITE, Chairman.

GOVERNOR'S MESSAGE.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 28th, 1870. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 66—An Act for the relief of W. V. McGarvey.

Also, Assembly Bill No. 253—An Act to authorize the Board of Supervisors of the County of Sonoma to transfer certain money from the General Fund to the Road Fund.

Also, Assembly Bill No 322—An Act to repeal an Act entitled an Act authorizing the Board of Supervisors of Plumas County to take and subscribe to the capital stock of the Oroville and Virginia City Railroad Company, and to provide for the payment thereof.

Also, Assembly Bill No 166—An Act for the relief of Samuel Clayton.

H. H. HAIGHT,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Fortune moved to take from the file Assembly Bill No 57, to refer to the San Francisco delegation, with instructions to report the same back to the House on Thursday next.

Carried.

On motion of Mr Hihn, Assembly Bill No 276 was ordered second on file for to-day.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr Walden—An Act to increase the number of Notaries Public for Stanislaus and Merced Counties

Read first and second times and ordered on general file.

By Mr Lambert—An Act to amend sections three and five of an Act to authorize the Governor of the State of California to appoint a Gauger and Weigher of Wines and Liquors, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and ordered on general file.

By Mr. Henley of Sonoma—An Act conferring certain powers upon the Sonoma College Association.

Read first and second times and ordered on the general file.

Also, an Act amendatory of an Act entitled an Act in relation to roads and highways in Sonoma County, to provide for the election of one County Commissioner of Roads and Highways and prescribe his duties, and to repeal all other Acts, so far as they conflict with the provisions thereof, approved March eighth, eighteen hundred and sixty-one.

Read first and second times and ordered on the general file

By Mr. Blankenship—An Act in relation to the office of Tax Collector in the County of Monterey.

Read first and second times and ordered on the general file

By Mr. McClaskey—An Act to authorize the County of Yuba to take and subscribe seventy-five thousand dollars to the capital stock of the Yuba Central Railroad Company.

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

By Mr Rockwell—An Act to provide for the election of six additional Supervisors for the City and County of San Francisco.

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

By Mr Stephens—An Act for the relief of Frank S. Malone.

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

By Mr Inman—An Act regulating the collection of delinquent taxes in the County of Alameda

Read first and second times and referred to the Judiciary Committee

Also, an Act to authorize the construction of a swing or draw bridge across the San Antonio Creek, in the County of Alameda.

Read first and second times and referred to the Committee on Commerce and Navigation, with documents accompanying the bill

By Mr. Moynihan—An Act for the relief of the Hibernia Greens.

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

By Mr Martin of Butte—An Act to grant the right to convey water in pipes to supply the inhabitants of the Town of Oroville

Read first and second times, rules suspended, bill considered engrossed, by unanimous consent read a third time and passed; title approved

By Mr Mooney—An Act to grant a road franchise to Joseph Rowan and James Rowan, in the County of Mono.

Read first and second times and referred to the Committee on Roads and Highways

By Mr. G. R. B. Hayes—An Act defining and limiting the time for the payment of bounties and relief pay due the volunteers of the State

of California, and troops furnished the United States, as a portion of its quota.

Read first and second times and referred to the Committee on Military Affairs.

By Mr Griswold—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco and to provide work for laborers.

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

By Mr Hubner—An Act supplementary to an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands

Mr Fryer, by leave, made the following report:

MR SPEAKER: The majority of the Committee on Contingent Expenses, to whom was referred the resolution instructing the Sergeant at-Arms to furnish each member of this House with ten dollars worth of postage stamps, in addition to the twenty-five dollars already provided for, to be paid out of the Contingent Fund of the Assembly,—have had the same under consideration, beg leave to report it back and recommend its adoption.

HENLEY (of Sonoma,)

FRYER.

The resolution, reading as follows, was taken up:

Resolved. That the Sergeant-at-Arms be instructed to furnish each member of this House the sum of ten dollars, in postage stamps, in addition to the twenty-five dollars already provided for, to be paid out of the Contingent Fund of the Assembly.

Mr G. R. B. Hayes moved the previous question.

Sustained.

On adopting the resolution, the ayes and noes were demanded by Messrs. Biggs, Martin of Siskiyou and G. R. B. Hayes, and it was adopted, by the following vote:

AYES—Messrs. Appling, Blankenship, Brown of Amador, Calderwood, Colonel. De Haven, Doss, Eichelroth, Escandon, Finney, Fryer, Gildea, Green, Griswold, Haile, Henley of Sonoma, Hibn. Hudson, Johnson, Kelley, King, Merritt, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Oates, Pool, Rockwell, Satterwhite, Shoemaker, Shores, Stephens, Thomas, Williams, Young and Mr. Speaker—37.

NOES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Crigler, Duffy, Freeman, Hawley, G. R. B. Hayes, Henley of Mendocino, Hubner, Inman, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Miller of El Dorado, Murphy of Santa Clara, O'Connell, Odell, Power, Robinson, Ryan, Sammons, Scarce, Slicer, Thurston, Waldron and York—32.

Mr. Haile, by leave, offered the following resolution:

Resolved. That the State Controller is hereby authorized and required to draw his warrant on the Contingent Fund of the Assembly in favor

of George A. Gillispie, for ten dollars, and the Treasurer is hereby authorized to pay the same out of the said fund; the said amount being for five copies of the *Solano Press*, furnished to Assemblyman Frisbie, of Solano County, during the seventeenth session of the Legislature, in the years eighteen hundred and sixty-seven and eighteen hundred and sixty-eight.

Referred to the Committee on Contingent Expenses.

GENERAL FILE.

Assembly Bill No. 157 was withdrawn by its author.

Assembly Bill No. 375—An Act to amend an Act entitled an Act to establish the County of Fresno, passed April nineteenth, eighteen hundred and fifty-seven.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 89—An Act to pay John Mullen for services rendered the State of California in reporting and preparing testimony taken in certain swamp land trials held in this State by an Act of Congress, approved July twenty-third, eighteen hundred and sixty-six.

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY.

Bill reported back and indefinite postponement recommended.

The bill was indefinitely postponed.

Assembly Bill No. 276—An Act to provide for the appointment of an agent to procure patents for land granted to the State, and to arrange other matters pertaining to State lands.

Amended

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Bill reported back, with a recommendation that it be indefinitely postponed.

Mr Haile moved that the recommendation of the committee be concurred in.

On which the ayes and noes were demanded by Messrs. Haile, Doss and G. R. B. Hayes, and the bill was indefinitely postponed, by the following vote:

AYES—Messrs Andrews, Appling, Blankenship, Brown of Yuba, Crigler, Doss, Escandon, Finney, Haile, Hubner, Hudson, Inman, Koutz, Martin of Butte, Martin of Siskiyou, Merritt, Miller of El Dorado, Mooney, Munday, Murphy of Del Norte and Klamath, Oates, Odell Pool, Power, Sammons, Scarce, Shores, Slicer, Walden, Waldron, York and Mr. Speaker—32

NOES—Messrs. Biggs, Brown of Amador, Calderwood, Carothers, Colonel, De Haven, Duffy, Freeman, Fryer, Green, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Johnson, Kelley, King, Lambert, McClaskey, McMillan, McMurry of Trinity, Murphy of Santa Clara, Naphtaly, O'Connell, Rockwell, Satterwhite, Stephens, Thomas, Thurston, Williams and Young—31.

Assembly Bill No. 137—An Act amendatory to an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight

Amendment adopted.

Mr. Haile offered an amendment, to make the Act applicable only to the City and County of San Francisco.

Adopted.

Mr. Naphtaly moved to suspend the rules to place the bill on its final passage.

At half-past twelve o'clock p. m. the House took a recess.

REASSEMBLED.

At half-past one o'clock p. m. the House reassembled.

Speaker in the chair.

Roll called

Quorum present

GENERAL FILE RESUMED.

Assembly Bill No. 137 continued.

On motion of Mr G. R B. Hayes, the bill was referred to the San Francisco delegation

Assembly Bill No 429—An Act granting a street railroad franchise to the City and County of Sacramento—was taken up, on motion of Mr Horan

Amendments adopted.

At two o'clock p. m., on motion of Mr Horan, the special order set for this hour was temporarily postponed

Mr. Duffy offered amendments

Adopted

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Mr. Gildea, by leave, introduced a bill for an Act to appropriate money for the relief of James W. Marshall.

Read first and second times and ordered at the top of the general file for to-morrow.

On motion of Mr Lambert, Assembly Bill No 408—An Act for the relief of General John A. Sutter—was ordered second on the file for to-morrow.

SPECIAL ORDER

The special order for two o'clock p. m., Assembly Bill No. 85—An Act to repeal the registry law—was taken up and amended

Mr. Murphy of Santa Clara moved that the bill be recommitted to the Judiciary Committee, with instructions to report a substitute retaining all the old law relating to the Great Register, and repealing all that relates to the poll list

Mr. Haile moved the previous question

Sustained.

On the motion of Mr Murphy of Santa Clara, the ayes and noes were demanded by Messrs Andrews, Calderwood and Oates, and the House refused, by the following vote :

AYES—Messrs. Calderwood, Duffy, Finney, Green, G. R B. Hayes, Hibn, Hubner, Inman, Koutz, McMurry of El Dorado, Moynihan, Murphy

of Santa Clara, Naphtaly, O'Connell, Power, Robinson, Sammons, Shoemaker, Waldron, Williams and York—21

NOES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Coronel, Crigler, De Haven, Doss, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, Henley of Sonoma, Hudson, Johnson, Kelley, King, Lambert, Lewelling, Martin of Siskiyou, McClaskey, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Oates, Odell, Pool, Rockwell, Romer, Satterwhite, Scarce, Shores, Slicer, Thomas, Walden, Young and Mr. Speaker—49.

On the engrossment of the bill, the ayes and noes were demanded by Messrs. G. R. B. Hayes, Calderwood and Walden, and it was ordered engrossed, by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Coronel, Crigler, Doss, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, Henley of Sonoma, Hubner, Hudson, Inman, King, Lambert, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Oates, Odell, Pool, Rockwell, Romer, Satterwhite, Scarce, Shores, Slicer, Thomas, Walden, Young and Mr. Speaker—46

NOES—Messrs. Appling, Calderwood, Carothers, De Haven, Duffy, Finney, Green, G. R. B. Hayes, Hihn, Johnson, Kelley, Koutz, Lewelling, Moynihan, Murphy of Santa Clara, Naphtaly, O'Connell, Power, Robinson, Sammons, Shoemaker, Waldron, Williams and York—24

Mr. Mooney moved to suspend the rules, to consider the bill engrossed and place it on its third reading and passage

Mr. G. R. B. Hayes rose to a point of order, stating that as the bill had been ordered engrossed it was not now in order to place the bill on its third reading.

Overruled.

Mr. Hayes appealed, and the Chair was sustained

On suspending the rules to place the bill on its third reading and passage, the ayes and noes were demanded by Messrs. Calderwood, Waldron and Finney, and the motion prevailed by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Coronel, Crigler, Doss, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Johnson, King, Lambert, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Thomas, Walden, Young and Mr. Speaker—54

NOES—Messrs. Brown of Amador, Calderwood, Carothers, De Haven, Doss, Duffy, Finney, Green, Hihn, Kelley, Koutz, Lewelling, Power, Robinson, Sammons, Waldron, Williams and York—18.

Read a third time

On the passage of the bill, the ayes and noes were demanded by Messrs. Naphtaly, Finney and Blankenship, and it passed, by the following vote :

AYES—Messrs Andrews, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Coronel, Crigler, Doss, Eichelroth, Escandon, Fortune, Fryer, Gildea, Griswold, Haile, Hawley, Henley of Sonoma, Hubner, Hudson, Inman, Johnson, King, Lambert, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trimty, Merritt, Miller of El Dorado, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Newell, Oates, O'Connell, Odell, Pool, Rockwell, Romer, Satterwhite, Searce, Shoemaker, Shores, Slicer, Thomas, Walden, Young and Mr. Speaker—50.

NOES—Messrs. Appling, Calderwood, Carothers, De Haven, Duffy, Finney, Green, G R B Hayes, Hihn, Horan, Kelley, Koutz, Lewelling, Murphy of Santa Clara, Naphtaly, Power, Sammons, Waldron, Williams and York—20.

Title approved.

Mr. Carothers, by leave, offered the following :

Resolved, That the Speaker is hereby authorized to appoint a committee of five, whose duty it shall be to draft an Act regulating elections as will, in their judgment, meet the wants of this State.

Laid over one day

The Committee on State Prisons were granted leave of absence for the remainder of the day.

Senate Bill No 66—An Act to provide for the welfare, and increase the efficiency of the California Institution for the Deaf, Dumb and Blind—was taken up, under a suspension of the rules, on motion of Mr. Lambert.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back and passage recommended.

Read a third time and passed; title approved.

REPORT.

Mr. Horan, from the Committee on Claims, by leave, made the following report :

MR. SPEAKER: Your committee, to whom was referred Assembly Bill No. 501—An Act for the relief of the Hibernia Greens—have had the same under consideration, and recommend its passage.

HORAN, Chairman.

GENERAL FILE CONTINUED.

Assembly Bill No. 146—An Act amendatory of and supplemental to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and sixty-one.

Rules suspended, bill considered engrossed, read a third time and passed: title approved

Assembly Bill No 168—An Act to amend an Act entitled an Act to

exempt the homestead and other property from forced sale in certain cases, approved April twenty-first, eighteen hundred and fifty-one.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Concurrent Resolution No. 19—For the establishment of a mail route from Moore's Flat to Graniteville

Rules suspended, resolution considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 363—An Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 378—An Act to amend an Act entitled an Act to redistrict the County of Los Angeles, and to provide for the election of Supervisors, approved March twenty-eighth, eighteen hundred and sixty-eight

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 149—An Act to authorize W. S. Chaffer, Marcus Harloe, and others, to build a wharf and railroad track at San Buenaventura, in Santa Barbara County

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Mr. Oates was excused for the remainder of the day

Mr. Haile moved to suspend the rules to take up, out of its order on the file, Assembly Bill No. 489.

Lost.

Assembly Bill No. 186 withdrawn by its author.

Assembly Bill No. 343—An Act to improve Owens River for rafting logs, lumber, etc.

Mr. Mooney moved to suspend the rules to place the bill on its final passage.

Lost.

When, on a division, the House refused to order the bill engrossed.

Mr. Berry gave notice that on to-morrow he would move to reconsider the vote whereby the House refused to order the bill engrossed.

Mr. Martin of Butte, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 474—An Act further to define the powers and duties of the Sheriff of San Francisco

Also, Assembly Bill No. 346—An Act to grant further powers to the Board of Trustees of the City of San Diego, and establish the boundaries of the said city.

Also, Assembly Bill No. 461—An Act concerning Justices of the Peace in the City of Stockton.

Also, Assembly Bill No. 358—An Act to authorize the Mayor and Common Council of the City of Marysville to close up Virgin Alley, between Seventh and Eighth streets.

Also Assembly Bill No. 421—An Act in relation to the office of Court Commissioner of San Joaquin County

Also, Assembly Bill No. 209—An Act to authorize the Auditor of Butte County to issue a warrant to W. S. Reese.

Also, Assembly Bill No 475—An Act to fix the fees of witnesses in criminal actions in San Bernardino County.

Also, Assembly Bill No. 187—An Act concerning the office of the County Clerk of the City and County of San Francisco.

Also, Assembly Bill No 289—An Act to create the County of Anaheim, to define its boundaries and to provide for its organization and financial affairs

Also, Assembly Bill No. 454—An Act concerning the office of Tax Collector in the Counties of Contra Costa and Santa Cruz

Also, Assembly Bill No 242—An Act to reincorporate the City of Monterey.

MARTIN (of Butte), Chairman.

Assembly Bill No 240—An Act to authorize John Dolbeer and others to construct dams, booms, etc. on Elk River, in Humboldt County
Amendment adopted.

Substitute adopted.

On motion of Mr. McMurry of Trinity, the bill was indefinitely postponed.

Assembly Bill No 266, and all the bills on the general file granting franchises to build wharves, were, on motion of Mr. Haile, made the special order for Thursday next, at two o'clock P M

Assembly Bill No 232 withdrawn by its author.

Mr. Hihn, from the Committee on Fees and Salaries, by leave, made the following report:

MR SPEAKER: The Committee on Fees and Salaries, to whom was referred Assembly Bill No 479—An Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said County of Calaveras—have had the same under consideration and report it back to the House, and recommend the passage of the same as amended.

HIHN, Chairman

Mr. Green moved to suspend the rules to take up the bill at this time for consideration.

Carried.

Amendments recommended by the committee adopted

Rules suspended, bill considered engrossed, read a third time and passed: title approved.

Mr. Gildea, by leave, made a verbal report for the delegations to whom was referred Assembly Bill No 367, recommending its reference to the San Francisco delegation.

So ordered.

Assembly Bill No. 331—An Act supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty

Rules suspended, bill considered engrossed, read a third time and passed.

At four o'clock and fifty minutes P. M., on motion of Mr. Finney, the House adjourned.

GEO. H. ROGERS,
Speaker

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
 Wednesday, March 2d, 1870 }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES

Mr Naphtaly, from the Judiciary Committee, made the following report :

MR SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No 387—An Act to authorize the Mayor of the City and County of San Francisco to deed a certain lot of land in said city and county to the Trustees of the Associated Veterans of the Mexican War—respectfully report that they have had the same under consideration, report the same back and recommend the passage of the bill

They have also considered Assembly Bill No 415—An Act to decrease the expenses of litigation of lands in the City and County of San Francisco—respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 398—An Act to amend section five hundred and thirty-eight of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one—respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No 425—An Act to direct the Treasurer and Auditor of Solano County to transfer certain moneys from the Swamp Land Fund and the Redemption Fund of Solano County to the Interest and Redemption Fund—respectfully report the same back and recommend that the bill do not pass

The committee have also considered Assembly Bill No. 160—An Act to protect the people of California from the evils of Asiatic importation—and a majority of said committee have instructed me to report said bill back with the recommendation that it pass

NAPHTALY, Chairman.

Mr. Lambert submitted a majority and minority report of the Committee on Ways and Means, in reference to Assembly Bill No 241—An Act supplementary to and explanatory of an Act entitled an Act to provide revenue for the support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved March thirtieth, eighteen hundred and sixty—the majority of the committee recommending that the bill do not pass, and the minority reporting in favor of its passage.

[For report, see Appendix.]

Mr Lambert, from the Committee on Ways and Means, also made the following reports :

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Senate Bill No. 238—An Act making appropriations for deficiencies in the appropriations for the twenty-first fiscal year—have had the same under consideration, report the bill back to the Assembly and recommend its passage.

LAMBERT, Chairman.

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No. 223—An Act to provide for the prevention of double taxation of real estate; also, Assembly Bill No. 223—An Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State, approved April twenty-ninth, eighteen hundred and fifty seven, approved March eighteenth, eighteen hundred and sixty-two; also, Assembly Bill No. 224—An Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one; also, Assembly Bill No. 274—An Act to enforce the collection of taxes levied or assessed upon money loaned and secured by mortgages upon real or personal property; also, Assembly Bill No. 275—An Act concerning corporations—have had said bills under consideration, report the same back to the Assembly, and recommend that they do not pass.

LAMBERT, Chairman

Mr. Brown of Amador, from the Committee on Elections, made the following report:

MR. SPEAKER: The Committee on Elections, to whom was referred Senate Bill No. 301—An Act to divide the State into congressional districts, and fix the time to elect Representatives to Congress—have had the same under consideration, report it back and recommend its passage

BROWN (of Amador), Chairman.

Mr. Rockwell, from the Committee on Commerce and Navigation, made the following report:

MR. SPEAKER: On the twenty-fifth of January the House adopted the following resolution:

Resolved, That the Committee on Commerce and Navigation be and they are hereby requested to inquire into the expediency of setting aside a portion of the State's interest in the harbor of San Francisco for the purpose of erecting thereon a dock, basin and warehouse, where wheat, wine, wool, and all other products of this State, not of a perishable nature, may be landed and stored for a certain length of time, free of charge to the raiser or producer of said articles; also, as to allowing ships to load said grain and products at said wharves, free of charge—said committee to report by bill or otherwise, as they may think for the best interests of the State.

And, on the seventeenth of February, it adopted the following additional resolution in relation to the same subject:

Resolved, That the Committee on Commerce and Navigation be requested to report to this House by Monday next, by bill or otherwise,

upon the resolution referred to said committee in relation to setting aside a portion of the State's interest in the water front of San Francisco, upon which to erect wharves and warehouses for the free landing and storage of California products.

The committee, after setting forth certain views in relation to the subject, close their report as follows: It is greatly to be regretted that a pressure of other business before the committee, as well as the presence of discordant elements of an incomprehensive character, have made it impossible for me to present, with this report, a bill calculated to secure the objects of the resolution, and to carry into effect the suggestions and recommendations therein made. I confidently trust, however, to be able to make a report in that manner within three or four days, and therefore ask the indulgence of the House for that length of time, in order that a proper bill may be carefully prepared.

ROCKWELL, Chairman.

[For report, see Appendix.]

MR. SPEAKER: The Committee on Commerce and Navigation, to whom was referred the bills named below, report their action thereon:

Assembly Bill No. 120—An Act to amend an Act entitled an Act to authorize the Boards of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State approved April eighth, eighteen hundred and fifty-eight. The passage of this bill is recommended, as it throws more safeguards around the granting of valuable franchises by counties than are contained in the present law. The bill now recommended requires parties asking for franchises to advertise the same and to notify owners of land contiguous to the locality of the proposed franchise, and besides, it allows wharf franchises to be granted for a term of twenty years.

Assembly Bill No. 236—An Act relating to the inspection of steam boilers and for the better protection of life and property against accidents by steam boiler explosions. As your committee could not agree upon the provisions of this bill, and as some considered it referred to the wrong committee, it is reported back without recommendation. The author of this report, however, begs to suggest that the subject matter of the bill is a very important one and not lightly to be treated, and trusts it will receive earnest attention at the hands of the Assembly. Other States have very properly taken necessary steps to protect life and property against accidents from steam boiler explosions, and there is no reason why this State should not do likewise.

VALLEJO WHARF BILLS.

Of these, your committee have had a large number under consideration. The difficulty of prompt action thereon will be apparent to the House when it is informed that in one instance the committee had before it no less than three separate bills introduced in the Assembly by one gentleman, granting the same franchise to three different parties, and another bill from the Senate granting the same franchise to still other parties. In another instance three bills (two by the same author in the Assembly and one passed by the Senate), granted the same franchise to three different parties. In both of these instances it appeared plain to the committee that the franchises sought are proper, and that by grant-

ing them public interests would be served, yet so many were the applicants that a majority of the committee could not unite upon any one, and hence the bills are reported back as below :

Senate Bill No 319—An Act to authorize parties herein named the right to construct and maintain a wharf in the County of Solano. No recommendation.

Assembly Bill No 131—An Act to authorize James H Thompson and Wm Stannas, and their associates, successors and assigns, to build and maintain a wharf at the City of Vallejo in the County of Solano. No recommendation.

Assembly Bill No 250—An Act to authorize George C Ryckman and his associates, to build and maintain a wharf at Capital street, City of Vallejo, in the County of Solano. No recommendation.

Each of the above three bills propose to grant a wharf franchise at the foot of Capital street, in the City of Vallejo.

Senate Bill No. 145—An Act to authorize William Thompson, J. M. Martin, their associates and assigns, to build and maintain a wharf at the City of Vallejo, in the County of Solano. No recommendation.

Assembly Bill No 249—An Act to authorize the construction of a wharf at Vallejo, Solano County.

Assembly Bill No 133—An Act to authorize Michael S. Derwin, and his associates and assigns, to construct, maintain and use a wharf at the City of Vallejo in the County of Solano.

Assembly Bill No 134—An Act to grant the right to construct and maintain a wharf in the Town of Vallejo.

Each of the above named four bills proposes to grant a franchise for a wharf at the foot of York street, in the City of Vallejo.

The three Vallejo bills following are for wharf franchises which appear proper to be granted, and for which there are no contestants :

Assembly Bill No. 132—An Act to authorize Edward G Rhodes, his associates and successors and assigns, to build and maintain a wharf at the foot of Yolo avenue, in the City of Vallejo. Amended, and passage as amended recommended.

Assembly Bill No 248—An Act to authorize the construction of a wharf at Vallejo, Solano County, at the foot of Maryland street. Passage recommended.

Assembly Bill No. 208—An Act to authorize B J Osborne, and others as he may wish to associate with him, to build a wharf in the County of Solano. Amended and passage recommended as amended.

Assembly Bill No. 376—An Act to empower the Board of State Harbor Commissioners to purchase a dredging machine and appurtenances. Amended and passage recommended as amended.

Assembly Bill No 377—An Act supplementary to an Act entitled an Act concerning the Harbormaster of the port of San Francisco, approved March twenty-sixth, eighteen hundred and fifty-seven. The passage of this bill is recommended. It abolishes Harbormaster's dues, abolishes the office of Harbormaster after December, eighteen hundred and seventy, and until then provides for the payment of his salary out of the treasury of the City and County of San Francisco.

Assembly Bill No 416—An Act declaring Bull Creek navigable. Passage recommended, as the object of the bill is to keep open, for the accommodation of farmers and others residing thereon, for the distance of about three miles, a slough known as Bull Creek, in Contra Costa County, said creek or slough emptying into the Straits of Carquinez, a short distance above Martinez.

Assembly Bill No. 139—An Act to amend an Act entitled an Act to authorize the establishing of a steam ferry between Vallejo and Mare Island, in the County of Solano, approved March second, eighteen hundred and sixty-six. No recommendation.

ROCKWELL, Chairman.

Mr. Andrews, from the Committee on Mines and Mining Interests, made the following report :

MR. SPEAKER: The Committee on Mines and Mining Interests have had under consideration Assembly Bill No. 260—An Act relative to the quartz mines of the State of California, and to protect the miners employed therein—report the same back with amendments, and recommend its passage as amended.

ANDREWS, Chairman.

Mr. Stephens, from the Committee on Commerce and Navigation, made the following report :

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 45—An Act entitled an Act granting the use of two hundred feet of water front in Marin County to J. W. Gates, James Aitken, Thomas Green and associates, for ship building purposes—respectfully beg leave to report the same back with amendments and recommend its passage.

Also, Assembly Bill No. 47—An Act entitled an Act relating to the water front of Old Sausalito—with amendment, and recommend its passage.

STEPHENS,
MOYNIHAN.

Mr. Rockwell, from the Committee on Commerce and Navigation, made the following reports :

MR. SPEAKER. Your Committee on Commerce and Navigation, to whom was referred Assembly Bills Nos. 45 and 47—The first, an Act granting the use of two hundred feet of the water front in Marin County to J. W. Gates, James Aitken, Thomas Green and associates, for ship building purposes; the other—An Act relating to the water front of Old Sausalito—report the same back and recommend their indefinite postponement. Said bills are within the scope of the veto of the Governor against granting special franchises already provided for by general law, and this House having sustained the veto of the Governor in relation to the principle, the undersigned do not feel at liberty to recommend any measure known to be so decidedly averse to the views of the Governor and the Assembly as not to receive the sanction of either. Further, parties not interested in the franchises asked for have notified your committee that they are the owners of the dry land where the franchises are sought, and asked that no legislation be had calculated to affect their vested rights.

ROCKWELL, Chairman.
THURSTON.

MR. SPEAKER: The Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 100—An Act granting to E. A. Mason

and has assigns the right to construct and maintain a weir or fish trap in the Straits of Carquinez, in the County of Contra Costa—have considered the same and report it back with a substitute, and recommend the passage of the substitute.

ROCKWELL, Chairman.

Mr. Newell, from the Committee on Roads and Highways, made the following report :

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred Senate substitute for Assembly Bill No. 44—An Act concerning roads and highways in the County of Humboldt—have had the same under consideration, report the same back and recommend its passage.

Also, Senate Bill No. 340—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide for the establishment, maintenance and protection of public and private roads.

Also, Senate Bill No. 458—An Act entitled an Act to amend an Act entitled an Act concerning roads and highways in the Counties of Mariposa and Tulare, approved January seventeenth, eighteen hundred and sixty-six, approved March thirteenth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 365—An Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two—have had the same under consideration, report the same back and recommend their passage.

NEWELL, Chairman.

Mr. Henley of Sonoma, from the Committee on Federal Relations, made the following reports :

MR. SPEAKER: The Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 24—Relative to fruit distillers—beg leave to report the same back and respectfully recommend its adoption.

HENLEY (of Sonoma), Chairman.

MR. SPEAKER: The Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 19—Relative to the establishment of a mail route from San Diego, California, to Salt Lake City—beg leave to report the same back and recommend its adoption.

HENLEY (of Sonoma), Chairman.

MR. SPEAKER: The Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 39—with reference to the construction of a building for the uses of the Government of the United States, on a block of land in the City of San Francisco known as the Custom-house Block—report that they have duly considered said resolution, and recommend its passage.

HENLEY (of Sonoma), Chairman.

REPORTS OF SPECIAL COMMITTEES.

Mr. Fryer made the following report :

MR SPEAKER: As one of the Los Angeles delegation, to whom was referred Assembly Bill No. 219, I have had the same under consideration, and beg leave to report the same back and recommend its passage.

FRYER, of Delegation.

Mr Coronel made a report on the same bill, as follows:

MR SPEAKER: The undersigned, one of the Los Angeles delegation, to whom was referred Assembly Bill No. 219—An Act ratifying certain acts of the Mayor and Common Council of the City of Los Angeles—have considered the same, and report a substitute, and recommend the passage of the substitute

CORONEL, of Delegation

Mr. Carothers, for the Joint Committee on the location of the State Normal School, submitted a majority report, stating that the committee had visited the following named places, to wit: San Francisco, Oakland, San José, Santa Clara, Napa, Martinez, Petaluma and Stockton, on invitation from the proper authorities, and set forth the offers and donations proposed by the authorities of the several places named above, and closed as follows:

“After visiting and carefully considering the advantages and disadvantages attending the location of the State Normal School at any of the above named places, in the judgment of a majority of your committee, the best interests of the said school and State would be promoted by locating said institution in the City of San José.”

The minority of said committee, whilst fully concurring in the facts herein submitted for their consideration, differ with the majority only as to the location of the said school—Messrs Naphtaly and McMillan favoring San Francisco, and Mr. Carothers favoring Martinez.

Mr. Carothers also submitted a minority report in favor of locating said school at Martinez, in Contra Costa County

[For majority and minority reports, see Appendix]

On motion of Mr. Murphy of Santa Clara, the reports were ordered printed

Mr. Shoemaker, from the Santa Clara delegation, made the following report:

MR SPEAKER: The Santa Clara delegation, to whom was referred Senate Bill No 285—An Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six—have examined the same, and recommend its passage.

SHOEMAKER.
THOMAS,
MURPHY.

Mr Brown of Amador made the following report:

MR SPEAKER. The delegation from Amador and Alpine have considered Assembly Bill No 439—An Act amending the first section of an Act extending the time for the payment of a debt due from Alpine County to Amador County, approved February twenty-ninth, eighteen

hundred and sixty-eight—report it back, with amendments, and recommend the passage of the bill as amended

BROWN (of Amador).
JOHNSON

Mr G. R. B. Hayes, from the Committee on Engrossment, made the following report :

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 429—An Act granting a street railroad franchise to the City and County of Sacramento.

G. R. B. HAYES, of Committee

MOTIONS AND RESOLUTIONS

On motion of Mr Haile, the bill reported by the Committee on Commerce and Navigation, relating to wharf franchises, and all bills otherwise reported referring to the same subject, were included in the special order for Thursday, at two o'clock P M

Mr Doss offered a resolution directing the Chief Clerk to have prepared a numerical list of all bills introduced into the Assembly, to be printed.

On motion of Mr. Slicer, laid on the table

Also, a resolution instructing the Judiciary Committee to draft a registry law, and to report the same as early as possible

On motion of Mr Haile, laid on the table

Mr. Hubner offered a resolution instructing the Committee on Military Affairs to inquire into and examine the condition of the different kinds of arms; also, all the uniforms and all the other military equipments belonging to the State

Adopted.

Mr. Martin of Butte submitted the following

MR. SPEAKER: The undersigned very respectfully tenders his resignation as one of the members of your Committee on Engrossment, and for cause, assigns a want of time to properly attend to the duties of the position.

Very respectfully

MARTIN (of Butte)

On motion of Mr. Naphtaly, the resignation of Mr. Martin as a member of said committee was accepted

Mr. Murphy of Del Norte offered a concurrent resolution granting leave of absence from the State to J. W. Graham, County Treasurer of Klamath County, for the period of six months.

Read first and second times and ordered on general file

Mr. Berry, in accordance with previous notice, moved to reconsider the vote whereby the House refused to engross Assembly Bill No 343, on yesterday.

Mr. McMurry of Trinity moved to indefinitely postpone the motion to reconsider.

Mr. Inman moved the previous question

Sustained

When the motion of Mr. McMurry was agreed to.

SENATE MESSAGES

The following messages were received from the Senate :

SENATE CHAMBER, }
March 2d, 1870 }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, adopted substitute for Assembly Bill No. 15—An Act amendatory of and supplemental to an Act entitled an Act relative to the office of District Attorney of the County of Sacramento.

And amended and passed Assembly Bill No. 210—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Also, passed Senate Bill No. 149—An Act concerning the Insane Asylum of the State of California.

Also, Assembly Bill No. 252—An Act concerning roads and highways in San Bernardino County.

Also, Assembly Bill No. 204—An Act to amend an Act, approved March twelfth, eighteen hundred and sixty-eight, entitled an Act to provide for the drainage of Sacramento and of the land of Swamp Land District Number Two.

Also, substitute for Assembly Bill No. 81—An Act to confirm a certain order passed by the Board of Supervisors of the City and County of San Francisco, to authorize said Board to appropriate money for certain purposes.

Also, Assembly Bill No. 109—An Act to confer additional power on the Board of Supervisors of the City and County of San Francisco.

Also, Assembly Bill No. 338—An Act to provide for the erection of a jail in the County of Del Norte.

CURTIS,
Assistant Secretary

SENATE CHAMBER. }
March 1st, 1870 }

MR. SPEAKER: I am directed to inform the Assembly that the Senate on yesterday, passed Senate Bill No. 269—An Act to prevent the kidnapping and importation of Mongolian, Chinese and Japanese females for criminal and demoralizing purposes

Also, passed Senate Bill No. 270—An Act to prevent the importation of Chinese criminals and to prevent the establishment of coolie slavery

Also, Senate Bill No. 73—An Act to amend an Act entitled an Act more clearly to define the boundaries of Sacramento, Sutter and Placer Counties, approved March thirteenth, eighteen hundred and sixty-six

Also, Assembly Bill No. 394—An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the construction of wagon roads in said county

Also, under suspension of the rules, Senate Bill No. 487—An Act to repeal an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to prevent certain animals from running at large in Napa City, approved April seventeenth, eighteen hundred and sixty-three.

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
March 1st, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, amended and passed Assembly Bill No 126—An Act to authorize the Waucoma Water Company to construct aqueducts over certain lands herein named and to lay down water pipes in the public streets in the City of San Diego and the Town of South San Diego

Also, passed Assembly Bill No 435—An Act amendatory of and supplementary to an Act approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento

And indefinitely postponed Assembly Bill No. 68—An Act donating to the San Francisco and North Pacific Railroad Company certain salt marsh and tide lands in the Counties of Marin and San Francisco.

CURTIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 149, above reported, read first and second times and referred to the Hospital Committee

Senate Bill No. 487, above reported, read first and second times and referred to the Napa delegation

Senate Bill No 73, above reported, read first and second times and referred to the Solano, Yuba and Sacramento delegations.

Senate Bill No. 270, above reported, read first and second times and ordered on the general file

Senate Bill No. 269, above reported, read first and second times and ordered on the general file.

Assembly Bill No. 210, above reported, Senate amendments to the bill concurred in.

Assembly Bill No 15, above reported, Senate substitute adopted

Assembly Bill No. 126, above reported, temporarily passed during the absence of the author.

REPORT.

Mr. G. R. B. Hayes, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 263—An Act for the relief of certain settlers on the outside lands of the City and County of San Francisco.

G. R. B. HAYES, for Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Hail—An Act to confer additional powers upon the Board of Trustees of Suisun City, and for other purposes.

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

By the Committee on the location of the State Normal School—An Act for the location of the Normal School of the State of California.

Read first and second times and ordered at the head of the general file for to morrow

By Mr. Duffy—An Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

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

By Mr. Gildea—An Act to authorize the guardian of Walter Price, a minor, to sell his real estate.

Read first and second times and referred to the Judiciary Committee, with accompanying petition.

By Mr. Rockwell—An Act to provide for a charter of the City and County of San Francisco.

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

By Mr. Hihn—An Act to grant certain salt marsh and tide lands to the inhabitants of the Town of Santa Cruz.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands

By Mr. Inman—An Act to provide for an election of a Board of Supervisors in the counties of this State and to fix their term of office

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

By Mr. Mooney—An Act granting leave of absence to J. P. Moffit, County Clerk of Inyo County.

Read first and second times and ordered on general file

By Mr. Carothers—An Act to amend an Act entitled an Act to provide for establishing, maintaining and protecting public and private roads in the County of Contra Costa, approved March twenty-third, eighteen hundred and sixty-eight

Read first and second times and referred to the Committee on Roads and Highways.

REPORTS.

Mr. Romer, Chairman of the Committee on Railroads, by leave, made the following report :

MR. SPEAKER: The Committee on Railroads and Telegraphs have had under consideration Senate Bill No. 144—An Act to authorize William Vanderhurst et al to construct a railroad from the City of Monterey to the Town of Salinas—report the same back and recommend its passage.

ROMER, Chairman.

The committee on railroads also made a report returning Assembly Bills Nos 265, 434 and 251, recommending that they do not pass

[For report, see Appendix]

The report was ordered printed.

By the Railroad Committee—An Act to provide for the appointment of a Commissioner on Railroads.

Read first and second times.

Mr. Gildea moved to place the bill at the top of the file for Saturday next.

On which the ayes and noes were demanded by Messrs. Gildea, McMurry of Trinity and Stephens, and the House refused, by the following vote :

AYES—Messrs De Haven, Fortune, Freeman, Gildea, Green, Haile, G. R. B. Hayes, Hihn, Hubner, Koutz, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Mooney, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Power, Sammons, Shores, Sheer, Stephens, Thomas and Waldron—27.

NOES—Messrs Appling, Berry, Biggs, Blankenship, Brown of Yuba, Calderwood, Carothers, Colonel, Doss, Duffy, Eichelroth, Escandon, Finney, Fryer, Griswold, Hawley, Henley of Mendocino, Hudson, Inman, Johnson, Kelley, King, Lambert, Lewelling, Martin of Butte, McClaskey, Merritt, Miller of Marin, Moynihan, Munday, Odell, Pool, Romer, Ryan, Satterwhite, Scarce, Shoemaker, Thurston, Walden, Williams, Young and Mr Speaker—43.

When the bill was ordered on the general file.

By Mr. Slicer—An Act establishing a commission for the revision of the laws

Read first and second times and referred to the Judiciary Committee

At half-past twelve o'clock P. M. the House took a recess

REASSEMBLED

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair

Roll called.

Quorum present.

Messrs Miller of El Dorado, Blankenship, and Martin of Siskiyou were granted leave of absence for the remainder of the day

Mr. Moynihan moved a call of the House.

Lost.

INTRODUCTION OF BILLS RESUMED.

By Mr. Appling—An Act authorizing the construction of a wagon toll road from or near the ranch of R. Nichols, on the Fresno River, Fresno County, to the Mammoth Tree Grove, and from thence to intersect the Yosemite Falls trail near Clark's Mill, in Mariposa County

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

By Mr. Lewelling—An Act to provide a uniform system of ballots in this State.

Read first and second times and referred to the Judiciary Committee

By Mr. Escandon—An Act granting leave of absence to N. D. Witt, District Attorney of San Luis Obispo County.

Read first and second times and ordered on the general file.

Also, an Act granting leave of absence to Arza Porter, Sheriff of Santa Barbara County.

Read first and second times and ordered on the general file

By Mr. Hubner—An Act to repeal an Act entitled an Act to limit the hours of labor, approved February twenty-first, eighteen hundred and sixty eight

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

By Mr. Walden—An Act for the relief of Thomas E. Hughes

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

By Mr. Thurston—An Act fixing the time at which the Board of Supervisors of the County of San Joaquin shall hold their regular sessions.

Read first and second times and, by unanimous consent, rules suspended, bill considered engrossed, read a third time and passed; title approved.

By Mr. Naphtaly—An Act to make, open and establish a public street in the City and County of San Francisco, to be called Montgomery avenue, and take private lands therefor.

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

By Mr. Walden—An Act to authorize the Board of Supervisors of Merced County to levy a tax for road purposes, and to direct the application thereof

Read first and second times and referred to the Committee on Roads and Highways, with petitions

By Mr. Naphtaly—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one

Read first and second times and referred to the Judiciary Committee

By Mr. Robinson—An Act to authorize and empower the President and Trustees of the City of San Diego to donate lands to the San Diego and Los Angeles Railroad Company, to aid in the construction of said railroad

Read first and second times and referred to the Committee on Railroads

GENERAL FILE

Assembly Bill No 408—An Act to appropriate money for the relief of General John A Sutter—was taken up, under a suspension of the rules, on motion of Mr. Eichelroth.

Considered in Committee of the Whole.

[Mr G R B. Hayes in the chair]

IN ASSEMBLY.

Bill reported back with amendments and passage recommended

At two o'clock P. M Mr. Duffy moved to postpone the special order set for this hour, until Assembly Bills No 408 and No 506 were disposed of.

Carried.

Mr G. R. B. Hayes moved the previous question.

Lost

Amendments recommended by the Committee of the Whole on Assembly Bill No 408 adopted.

Mr Satterwhite offered an amendment to section one, as follows: strike out "two hundred and fifty dollars" and insert "one hundred dollars"

On which the ayes and noes were demanded by Messrs Satterwhite, Murphy of Del Norte and Martin of Siskiyou, and the House refused to adopt the amendment, by the following vote:

AYES—Messrs Berry, Biggs, Crigler, De Haven, Doss, Hawley, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, Kelley, King, Martin of Butte, Martin of Siskiyou, McMurry of Trinity, Munday, Murphy of Del Norte and Klamath, Odell, Satterwhite, Scarce, Sheer, Stephens, Thurston and Waldron—24.

NOES—Messrs. Andrews, Appling, Brown of Yuba, Carothers, Colonel Duffy, Eichelroth, Escandon, Finney, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile & R. B. Hayes, Hihn, Horan, Inman, Koutz, Lambert, McClaskey, McMurry of El Dorado, Merritt, Miller of Marin, Mooney, Moynihan, Murphy of Santa Clara, Newell, Oates, O'Connell, Pool, Power, Robinson, Rockwell, Romer, Ryan, Sammons, Shoemaker, Shores, Walden, Williams, York and Young—44

Mr. Fortune offered an amendment by inserting "one hundred and fifty dollars" in place of "two hundred and fifty dollars."

Lost

Mr. Romer offered an amendment, to strike out "two hundred and fifty dollars" and insert "three hundred dollars."

On which the ayes and noes were demanded by Messrs. Satterwhite, Murphy of Del Norte and Martin of Siskiyou, and the House refused to adopt the amendment, by the following vote:

AYES—Messrs. Colonel Fryer, Griswold, Henley of Mendocino, Hihn, Martin of Butte, Murphy of Santa Clara, Robinson, Romer, Ryan, Walden and Williams—12

NOES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Amador, Brown of Yuba, Carothers, Crigler, De Haven, Doss, Duffy, Escandon, Finney, Fortune, Freeman, Gildea, Green, Haile, Hawley, G. R. B. Hayes, Hubner, Hudson, Inman, Johnson, Kelley, King, Koutz, Lambert, Lewelling, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Newell, Oates, O'Connell, Odell, Pool, Power, Sammons, Satterwhite, Scaree, Shoemaker, Shores, Slicer, Stephens, Thurston, Waldron, York, Young and Mr. Speaker—57

Mr. Gildea moved to suspend the rules to consider the bill engrossed and place it on its third reading and passage.

Mr. Munday moved to amend by striking out "two hundred and fifty dollars" and inserting "two hundred dollars."

Mr. Murphy of Del Norte moved the previous question.

Sustained

The motion to suspend the rules prevailed.

Bill read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Berry, Murphy of Del Norte and Biggs, and it passed, by the following vote:

AYES—Messrs. Andrews, Appling, Brown of Amador, Carothers, Colonel Crigler, De Haven, Duffy, Eichelroth, Escandon, Fortune, Freeman, Fryer, Green, Griswold, Haile, G. R. B. Hayes, Henley of Mendocino, Hihn, Horan, Hubner, Inman, King, Koutz, Lambert, Lewelling, McClaskey, McMurry of El Dorado, Merritt, Miller of Marin, Mooney, Moynihan, Murphy of Santa Clara, Newell, Oates, O'Connell, Pool, Power, Robinson, Rockwell, Romer, Ryan, Sammons, Shoemaker, Shores, Thurston, Walden, Williams, York and Young—50

NOES—Messrs. Berry, Biggs, Brown of Yuba, Doss, Finney, Henley of Sonoma, Hudson, Kelley, Martin of Butte, Martin of Siskiyou, McMurry of Trinity, Munday, Murphy of Del Norte and Klamath, Odell, Scaree, Stephens, Waldron and Mr. Speaker—18

Title approved.

Assembly Bill No 506—An Act to appropriate money for the relief of James W Marshall

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY

Bill reported back with amendments and passage recommended

Amendments adopted.

Mr Slicer moved to indefinitely postpone the bill

Lost

Mr. Gildea moved that the rules be suspended, the bill be considered engrossed and placed on its third reading and passage.

On which the ayes and noes were demanded by Messrs. Berry, Merritt and Slicer, and the motion prevailed, by the following vote :

AYES—Messrs Andrews, Appling, Brown of Yuba, Coronel, De Haven, Duffy, Eichelroth, Escandon, Freeman, Gildea, Green, Haile, Hawley, G R B Hayes, Henley of Sonoma, Hihn, Horan, Hubner, Johnson, Kelley, Lewelling, McCluskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Newell Oates, Pcol, Power, Robinson, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Shores, Walden, Waldron, Williams, Young and Mr Speaker—48

NOES—Messrs Berry, Biggs, Brown of Amador, Crigler, Finney, Fryer, Hudson, Inman, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, Merritt, Odell, Shoemaker, Slicer, Stephens, Thomas and Thurston—19

Read a third time

On the passage of the bill the ayes and noes were demanded by Messrs. Biggs, Odell and Crigler, and it passed, by the following vote :

AYES—Messrs. Andrews, Appling, Brown of Yuba, Carothers, De Haven, Doss, Duffy, Eichelroth, Escandon, Freeman, Gildea, Green, Haile, Hawley, G. R B. Hayes, Hihn, Horan, Johnson, Kelley, King, Lewelling, McMillan, McMurry of El Dorado, Mooney, Moynihan, Newell, Oates, Pool, Power, Robinson, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Shores, Walden, Waldron, Williams, York, Young and Mr. Speaker—43.

NOES—Messrs Berry, Biggs, Brown of Amador, Crigler, Finney, Fryer, Henley of Sonoma, Hubner, Hudson, Inman, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McCluskey, McMurry of Trinity, Merritt, Miller of Marin, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Odell, Slicer, Stephens, Thomas and Thurston—26.

Title approved

SENATE MESSAGES

On motion of Mr. Stephens, the rules were suspended to take up the following Senate messages :

SENATE CHAMBER, }
March 2d, 1870. }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, substitute for Senate Bill No 274—An Act concerning the office of County Recorder and ex officio Auditor of the County of Sacramento

MARDIS,
Assistant Secretary

SENATE CHAMBER,
March 2d, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No. 283—An Act to regulate the salaries and fix the compensation of certain county officers of the County of Nevada.

Also, passed Concurrent Resolution No. 34—Relative to printing five thousand copies of Surveyor-General's report.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 2d, 1870 }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, with amendments, substitute for Assembly Bill No. 76—An Act entitled an Act to incorporate the City of Gilroy

ROBERTS,
Secretary.

Mr. Gildea was excused for the remainder of the day

CONSIDERATION OF SENATE MESSAGES.

Substitute for Senate Bill No. 274, above reported, read first and second times and, by unanimous consent, rules suspended, read a third time and passed; title approved.

Senate Concurrent Resolution No. 34, above reported, concurred in

Substitute for Assembly Bill No. 76, above reported, Senate amendments concurred in.

Substitute for Assembly Bill No. 126, above reported, Senate amendments concurred in.

REPORTS.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following reports:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Concurrent Resolution No. 30—For the establishment of a daily mail from San José to Almaden.

Also, Assembly Bill No. 71—An Act amendatory of and supplementary to an Act entitled an Act to establish a paid Fire Department for the City and County of San Francisco—approved March second, eighteen hundred and sixty-six.

And this day, at eleven o'clock A. M., presented the same to the Governor for his approval.

BROWN (of Yuba). for Committee

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled substitute for Assembly Bill No. 15—An Act amendatory of and supplemental to an Act entitled an Act relative to the office of District Attorney of the County of Sacramento, approved March sixteenth, eighteen hundred and sixty-four.

And this day, at two o'clock and forty-five minutes P. M., presented the same to the Governor for his approval

BROWN (of Yuba), for Committee

Mr G R B Hayes, from the Committee on Engrossment, made the following report:

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 85—An Act to repeal an Act entitled an Act to provide for the registration of the citizens of this State and for the enrolment in the several election districts of all the legal voters thereof, and for the prevention and punishment of fraud affecting the elective franchise, approved March ninth, eighteen hundred and sixty-six, and to repeal an Act entitled an Act to provide for the registration of the citizens of this State and for the enrolment of all the legal voters thereof, and for the prevention and punishment of fraud affecting the elective franchise, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 144—An Act to locate the county seat for the County of Lake.

Also, Assembly Bill No 371—An Act concerning Notaries Public in the County of San Joaquin.

Also, Assembly Bill No. 344—An Act to provide for the manner of auditing claims against Humboldt County, and to provide for the reduction of taxation therein and expenses thereof.

Also, Assembly Bill No 349—An Act to provide for the building of a bridge and roadway across the estuary of San Antonio, in the County of Alameda.

G. R. B. HAYES, for Committee.

SPECIAL ORDER.

At two o'clock P. M. the House proceeded to consider the special order, Senate Bill No. 53 and Assembly Bill No. 30—An Act to repeal an Act to authorize the sale and conveyance to the San Mateo Tanning and Manufacturing Company certain overflowed lands in the County of San Mateo, approved March thirtieth, eighteen hundred and sixty-eight.

Mr. Mooney moved to postpone the special order to eleven o'clock A. M. to-morrow.

Mr. McMurry of Trinity moved to amend the motion by discharging the special order. and that the bills be ordered at the top of the general file for to-morrow.

At four o'clock and thirty-five minutes P. M. Mr Satterwhite moved to adjourn

On which the ayes and noes were demanded by Messrs. G R B. Hayes, Ryan and Biggs, and the House refused, by the following vote:

AYES—Messrs Appling, Hawley, Henley of Mendocino, Johnson, Kelley, King, Martin of Butte, McClaskey, McMurry of El Dorado, Newell, Oates, O'Connell, Odell, Pool, Rockwell, Romer, Satterwhite, Scarce, Stephens, Thurston and Walden—21.

NOES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Carothers, Crigler, De Haven, Doss, Duffy, Escandon, Finney, Fortune, Freeman,

Green, Haile, G. R. B. Hayes, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Inman, Koutz, Lambert, Lewelling, Martin of Siskiyou, McMurry of Trinity, Merritt, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Robinson, Ryan, Sammons, Shores, Slicer, Waldron, Williams, York, Young and Mr. Speaker—44

When the motion of Mr. McMurry prevailed and the bills were ordered at the top of the file for to-morrow.

At four o'clock and forty-five minutes P. M., on motion of Mr. Ryan, the House adjourned.

GEO. H. ROGERS,
Speaker

ROBT. FERRAL, Chief Clerk

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, March 3d, 1870 }

House met pursuant to adjournment.

Speaker in the chair

Roll called.

Quorum present.

Prayer by the Rev. O. P. Fitzgerald.

Journal of yesterday read and approved.

Messrs O'Connell, M. Hayes and Gildea were granted leave of absence for one day, and Messrs. Calderwood and McMurry of El Dorado indefinitely, on account of sickness.

PETITION.

Mr. Haile presented a communication from the Trustees of the Lying-in Hospital of San Francisco and a petition from citizens of San Francisco, asking an appropriation in aid of said institution.

Received and referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Mr. G. R. B. Hayes, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 408—An Act to appropriate money for the relief of General John A. Sutter.

Also, Assembly Bill No 479—An Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said County of Calaveras

Also, Assembly Bill No. 450—An Act concerning public roads and highways in the Counties of Santa Cruz and San Diego.

G. R. B. HAYES, of Committee.

Mr Lambert, from the Committee on Ways and Means, made the following report:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No. 24—An Act entitled an Act to relieve owners of incumbered real estate from double taxation;

Also, Assembly Bill No 96—An Act to remit taxes heretofore levied on money at interest secured by mortgage or otherwise;

Also, Assembly Bill No 268—An Act in relation to delinquent taxes on money at interest secured by mortgage or otherwise—have had the same under consideration, and a majority of said committee report the same to the House with a substitute and recommend the passage of the substitute

From this recommendation of the majority of the Committee on Ways and Means, a minority of said committee most respectfully dissent.

After setting forth the reasons actuating them in arriving at a conclusion adverse to the report of the majority of said committee, closed the report as follows:

"These considerations have forcibly addressed themselves to the feelings of your committee as men, and while they deplore the hardship thus operating upon a portion of the committee and regret the stern requirements of the consideration, yet, as legislators, intrusted in part with the interests of the State and the preservation of its revenue, they are compelled to report adversely to the passage of the bills above recited and herewith submitted by the majority of the Committee on Ways and Means"

LAMBERT, Chairman.
SAMMONS,
MERRITT,
THOMAS,
Minority of Committee

[For report, see Appendix.]

Mr King, from the Committee on Corporations, made the following report:

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 218—An Act to authorize the formation of corporations, to provide the members thereof with homesteads or lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty-one—have had the same under consideration, and report it back recommending its passage

Also, Senate Bill No 89—An Act supplementary to an Act entitled an Act concerning assessments upon the stock of corporations, approved March twenty-sixth, eighteen hundred and sixty-six—and report it back and recommend its passage.

Also, Assembly Bill No 590—An Act to authorize the Board of Supervisors of Solano County, on certain conditions herein named, to grant wharf franchises and to regulate the charges thereon—report the same back without recommendation

Also, Assembly Bill No. 93—An Act entitled an Act to amend an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two, approved March thirty-first, eighteen hundred and sixty-six—report the same back and recommend its passage

KING, Chairman.

Mr Newell, from the Committee on Roads and Highways, made the following report :

Mr SPEAKER : The Committee on Roads and Highways, to whom was referred Assembly Bill No 270—An Act to authorize certain parties to build a turnpike road from the Town of Truckee, in Nevada County, to Tahoe City, at Lake Bigler, in the County of Placer—have had the same under consideration, and respectfully report the same back and recommend that it do not pass

The committee have also had under consideration Assembly Bill No 487—An Act to aid in the construction of a wagon road from Round Valley, in Mendocino County, to Hydesville, in Humboldt County; also, Assembly Bill No 507—An Act to authorize the Board of Supervisors of Merced County to levy a tax for road purposes, and to direct the application thereof—and respectfully report the same back with the recommendation that they pass

NEWELL, Chairman.

Mr Carothers, from the Committee on State Hospitals, made the following report :

Mr SPEAKER : Your Committee on State Hospitals, to whom was referred Senate Bill No. 149—An Act concerning the Insane Asylum of the State of California—have had the same under consideration, and report the same back and recommend its passage.

EICHELROTH,
CAROTHERS,
THURSTON

Mr. Thomas made the following majority report from the same committee :

Mr SPEAKER : Your Committee on State Hospitals, to whom was referred Senate Bill No 149—have had the same under consideration, and report it back with amendments, and recommend its passage as amended.

THOMAS,
GRISWOLD,
FRYER,
DOSS.

REPORTS OF SPECIAL COMMITTEES.

Mr Odell, from the Sacramento delegation, made the following report :

Mr SPEAKER : The undersigned, member of the Sacramento delegation, to whom was referred Assembly Bill No. 401—An Act to amend an Act of March twenty-sixth, eighteen hundred and sixty-six, enti-

bled an Act to protect agriculture and to prevent the trespassing of animals upon private property—have had the same under consideration, and report it back and recommend its passage.

ODELL

Mr. Appling made the following report :

MR. SPEAKER: Your committee, to whom was referred Assembly Bill No 509, have had the same under consideration, and would beg leave to report the same back and recommend its passage.

APPLING,
POOL

Mr Horan, from the Committee on Claims, made the following report :

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 410—An Act to provide for the payment of the State's portion of the salary of the County Auditor in the County of Mariposa—report the same back and recommend that it be referred to the Judiciary Committee

Also, Assembly Bill No 337—An Act authorizing the Board of Supervisors of San Mateo County to appropriate certain moneys for the relief of Charles H. Lincoln—having considered the same, report it back and recommend the indefinite postponement of the same

Also, Senate Bill No 159—An Act in relation to road indebtedness of Tuolumne County, incurred in the years eighteen hundred and sixty-six and eighteen hundred and sixty-seven—having considered the same, report it back and recommend that it pass.

HORAN, Chairman.

Assembly Bill No 410, above reported, was referred to the Judiciary Committee.

Mr. Escandon, from the Santa Barbara delegation, made the following report :

MR SPEAKER: The Santa Barbara delegation, to whom was referred Senate Bill No 323, have had the same under consideration, and report it back, amended, and recommend its passage as amended

ESCANDON, for Delegation

Mr. Fortune, from the San Francisco delegation, made the following report :

MR SPEAKER: The San Francisco delegation, to whom was referred substitute for Assembly Bills Nos 29 and 39, have had the same under consideration, and herewith report the same back and recommend its passage

They have also had under consideration Assembly Bill No 310—An Act to establish a morgue for the City and County of San Francisco—and herewith recommend its passage

Also Assembly Bill No 57—An Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary regulations for the City and County of San Francisco—which they herewith report back, and recommend its passage as amended

Also, Assembly Bill No 361—An Act for the relief of T. D. Murphy, W D Murphy, G E Nottage, P Malloy, M J Bolan, Courtland Wood, H J Quinn and Ira D Thompson, all of the City and County of San Francisco—and herewith recommend its passage as amended.

Also, Assembly Bill No 433—An Act to amend section nine of an Act entitled an Act to amend an Act entitled an Act amendatory of article fourth of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six, repealing sections thirty-six to sixty-four, inclusive, and Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said article four approved April twenty-fifth, eighteen hundred and sixty-two, approved March twenty-sixth, eighteen hundred and sixty-eight—which is herewith reported back and passage recommended

Also, Assembly Bill No 282—An Act concerning certain ordinances of the Board of Supervisors of the City and County of San Francisco and other matters—passage recommended

Also Senate Bill No 45—An Act amendatory of and supplementary to an Act entitled an Act relating to the Board of Supervisors of the City and County of San Francisco, and more particularly designating their powers and duties—which is herewith reported back, with recommendation that it be indefinitely postponed.

Also, Assembly Bill No. 478—An Act to define and establish the line and width of East street, between Market street and Clay street wharf in the City and County of San Francisco—and herewith recommend its passage

They have also had under consideration Assembly Bill No 440—An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate moneys for the celebration of the Fourth of July in said city and county—which is herewith reported back, and its passage recommended

FORTUNE, for Delegation

Mr. Naphtaly from the San Francisco delegation, made the following report:

MR. SPEAKER: The undersigned, members of the San Francisco delegation, to whom was referred Senate Bill No. 314, respectfully report that having considered said bill, they recommend its passage

NAPHTALY,
GRISWOLD,
McMILLAN,
ROGERS,
HAYES, G. R. B.,
ROCKWELL.

Mr. Andrews made the following report:

MR. SPEAKER: The delegations from the Counties of Siskiyou and Shasta, to whom was referred Assembly Concurrent Resolution No 10, together with the Senate substitute for the same, report them back and recommend the passage of the substitute.

ANDREWS, for Delegations

Mr. Martin of Butte made the following report :

MR. SPEAKER: The delegation from the County of Butte, to whom was referred Assembly Bill No 468, respectfully report the same, with a substitute, and recommend the passage of the substitute

MARTIN (of Butte), for Delegation.

Assembly Bill No 468—An Act to authorize and empower Geo. F. Nourse of the Town of Chico and County of Butte, his associates or assigns, to build and run a street railroad from Chico Landing, on the Sacramento River, to the Town of Chico, Chico Township, Butte County, and for branch lines thereto

The above reported bill was taken up, on motion of Mr Martin of Butte, under a suspension of the rules

Substitute adopted

Rules further suspended, bill considered engrossed, read a third time and passed ; title approved

MOTIONS AND RESOLUTIONS

Mr. Stephens moved to refer Assembly Bill No 401 to the Sacramento delegation

Mr. Odell offered an amendment, that the bill be referred to the Committee on Agriculture

Carried

The motion as amended was agreed to.

Mr. Duffy offered the following resolution :

Resolved. That from and after March fifteenth, no bills shall be introduced in the Assembly, unless by permission of two-thirds of all members present.

Laid over one day

Mr Murphy of Santa Clara offered a concurrent resolution, in reference to establishing a daily mail route from the City of San José, Santa Clara County, to Evergreen, in said county.

Read first and second times, and, by unanimous consent, rules suspended, read a third time and passed ; title approved.

Mr Munday offered the following :

Resolved, That no bill now on the general file be taken up out of its order until all the business now on the file be disposed of.

Adopted.

Mr Rockwell offered the following :

Resolved, That the Judiciary Committee is hereby directed to report back to this House to-morrow morning Assembly Bill No. 13, with or without recommendation

Adopted.

Mr. Lambert moved to make Assembly Bill No. 149 the special order for Friday, March fourth, at two o'clock P M

Carried.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
March 3d, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, amended and adopted Assembly Concurrent Resolution No. 38—Relative to forwarding the National flag to Washington

And also, adopted Assembly Concurrent Resolution No. 40—Directing the appointment of a joint committee to draw up a bill to prevent Chinese immigration.

And, on yesterday, also passed Assembly Bill No. 319—An Act to amend an Act to cede certain property to the Town of Crescent City

Also, passed Assembly Bill No. 151—An Act empowering the Board of Education of the City and County of San Francisco to pay the claim of William Craine.

Also, passed Assembly Bill No. 325—An Act amendatory of an Act entitled an Act to provide for establishing, maintaining and protecting public and private roads in the County of Contra Costa

Also, passed Assembly Bill No. 91—An Act to incorporate the Town of San Juan.

Also, passed Assembly Bill No. 73—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

And adopted the report of the Committee of Conference relative to the amendment to Assembly Bill No. 77—An Act to encourage the destruction of gophers and squirrels in certain counties of this State and to provide for a bounty for the same.

Also, concurred in Assembly amendment to Senate Bill No. 79—An Act for the regulation of sailors' boarding houses in the City and County of San Francisco.

And, on the first instant, passed Senate Bill No. 358—An Act for the relief of Will S. Green.

And, on February twenty-eighth, passed Senate Bill No. 477—An Act for redeeming and paying the warrants outstanding against Tuolumne County, and paying the current expenses of said county in cash, and defining and limiting the powers and duties of certain officers in relation thereto.

CURTIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE

Assembly Concurrent Resolution No. 38, above reported, Senate amendment concurred in.

Senate Bill No. 358, above reported, read first and second times and referred to the Committee on Claims.

Senate Bill No. 477, above reported, read first and second times and referred to the Tuolumne delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Shores—An Act to exempt aged and infirm persons from their liabilities for road tax.

Read first and second times and ordered on general file

By Mr. Rockwell—An Act for the relief of Matthew Tomlinson.

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

Also, an Act to provide for the payment of services heretofore rendered to the State of California, and to appropriate moneys to pay the same.

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

By Mr. Ryan—An Act granting to certain persons therein named the right to lay and maintain a railroad track in the City and County of San Francisco and the Counties of San Mateo and Santa Cruz, and to empower said city and county and said counties to aid in the construction of said road.

Read first and second times and referred to the San Francisco, San Mateo and Santa Cruz delegations

By Mr. De Haven—An Act to authorize the Board of Supervisors of Humboldt County to transfer money from the Building Fund to the Road Fund.

Read first and second times and ordered on the general file

By Mr. Appling—An Act to authorize the Supervisors of Fresno County to transfer moneys from one fund to another.

Read first and second times and ordered on the general file.

Also, an Act for the relief of J. N. Walker, Sheriff of Fresno County.

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

By Mr. Naphtaly—An Act to establish a Municipal Court in the City and County of San Francisco, to be called the Municipal Criminal Court of the City and County of San Francisco.

Read first and second times and referred to the Judiciary Committee.

By Mr. Horan—An Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State, passed May seventeenth, eighteen hundred and sixty-one

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

Also, an Act to provide for the payment of claims for allowance for certain companies of the militia of this State.

Read first and second times and referred to the Committee on Military Affairs.

By Mr. Thurston—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals on private property, approved March twenty-sixth, one thousand eight hundred and sixty-six

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

By Mr. G. R. B. Hayes—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade certain streets in said city and county, and to condemn private property for the roadway of said streets

Read first and second times and referred to the Judiciary Committee.

GENERAL FILE.

Senate Bill No 53—An Act to repeal an Act entitled an Act to authorize the sale and conveyance to the San Mateo Tanning and Manufacturing Company certain overflowed lands in the County of San Mateo, approved March thirtieth, eighteen hundred and sixty-eight

Mr. Ryan moved to suspend the rules to take up Senate messages.

Lost.

At half-past twelve o'clock P. M. the House took a recess

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair

Roll called

Quorum present

GENERAL FILE RESUMED

Assembly Bill No. 53 continued

Mr. Rockwell moved the previous question

Lost

At two o'clock P. M. the special order set for that hour was, on motion of Mr. Haile, postponed until the bills now before the House are disposed of

Mr. Doss, speaking to the question before the House, read testimony taken before the committee

Mr. Andrews rose to a point of order, stating that the member had no right to use testimony taken before the committee without informing the House whose testimony he was quoting

Overruled

Mr. Andrews appealed, and the Chair was sustained

[Mr. Thomas in the chair]

Mr. Haile moved the previous question

On which the ayes and noes were demanded by Messrs. Henley of Sonoma, Haile, and Murphy of Del Norte and the House refused to order the main question by the following vote:

AYES.—Messrs. Blankenship, Brown of Amador, Brown of Yuba, Carothers, De Haven, Fortune, Green, Griswold, Haile, Hihn, Hubner, Johnson, Lambert, McMurry of Trinity, Merritt, Miller of El Dorado, Murphy of Santa Clara, Odell, Satterwhite, Stephens, Thomas, Walden and Mr. Speaker—23

NOES.—Messrs. Andrews, Appling, Berry, Biggs, Colonel, Crigler, Duffy, Eichelroth, Escandon, Finney, Freeman, Fryer, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Inman, Kelley, King, Koutz, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, Oates, Rockwell, Romer, Ryan, Sammons, Scarce, Shores, Slicer, Thurston, Waldron, Williams, York and Young—45

During the discussion of the question, Mr. Moynihan, on obtaining the floor, stated he had been approached by parties, with the offer of a valuable consideration, to oppose the passage of the bill now before the House, and exhibited a certificate of the San Mateo Tanning and Manufacturing Company, which, on motion, was read from the Clerk's desk

Messrs. Rockwell, Doss and others, rose to points of order, denouncing as false the insinuations made by Mr. Moynihan in his remarks, and demanding an investigation.

[Speaker in the chair]

Mr. Rockwell moved the previous question

Sustained

On the passage of the bill, the ayes and noes were demanded by Messrs Murphy of Del Norte, Berry and Haile, and it passed, by the following vote:

AYES—Messrs Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Coronel, Crigler, De Haven, Doss, Duffy, Eichelroth, Escandon, Finney, Freeman, Fryer, Green, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Habner, Hudson, Johnson, Kelley, King, Koutz, Lambert, Lowelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Odell, Pool, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Walden, Waldron, Williams, York, Young and Mr Speaker—68.

NOES—Messrs Oates and Thurston—2.

Mr. Naphtaly, by leave, was allowed to withdraw from the further consideration of the House, Assembly Bill No 30

Mr. Rockwell moved that a Committee of Investigation be appointed, and accepted the following resolution as offered by Mr. Berry:

Resolved, That the Speaker appoint a Select Committee of five to inquire into the alleged breach of the privilege of the House, by an attempt made to bribe a member of the House

Adopted

The Speaker subsequently appointed the committee, as follows: Messrs Rockwell, Thurston, Henley of Mendocino, Pool and Newell

Mr. Henley of Sonoma offered the following:

Resolved, That when this House next adjourn, it adjourn until seven o'clock this evening.

Adopted.

Mr. Haile moved to further postpone the special order till seven o'clock this evening

Lost

SPECIAL ORDER

The wharf franchise bills

Assembly Bills Nos 266, 360, 201 and 345 temporarily passed on the file

At four o'clock and ten minutes P. M. Mr. Doss moved to adjourn

Lost

Messrs Blankenship and Finney were excused for the remainder of the day.

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

EVENING SESSION.

At seven o'clock P. M. the House met, pursuant to adjournment

Speaker in the chair

Roll called.

Quorum present

Mr. Murphy of Del Norte, by leave, offered the following resolution:

Resolved, That M S Horan be added to the Committee on Public Buildings and Grounds

Laid over one day.

REPORTS

Mr Miller of Marin, from the Committee on Mileage, made the following reports:

Mr SPEAKER: The Committee on Mileage beg leave to make the following report for the Special Committee on location of State Normal School, and recommend the passage of the following resolution:

Resolved by the Assembly, That the Controller of State is hereby required to draw his warrants on the State Treasurer, payable out of the Contingent Fund of the Assembly, for the following amounts and in favor of the following persons:

| Name. | Miles. | Amount. |
|-----------------|--------|----------|
| Carothers | 992 | \$198 40 |
| Naphtaly | 992 | 198 40 |
| McMillan | 992 | 198 40 |
| Hawley | 992 | 198 40 |
| Thomas | 992 | 198 40 |

MILLER (of Marin), Chairman.

The resolution was adopted

Mr. SPEAKER: The Committee on Mileage beg leave to make the following report for the Committee on Education, for visiting the University grounds, Deaf and Dumb Asylum and State Normal School, and recommend the adoption of the following resolution:

Resolved by the Assembly, That the Controller of State is hereby required to draw his warrants on the State Treasurer, payable out of the Contingent Fund of the Assembly, for the following amounts and in favor of the following persons:

| Name. | Miles. | Amount. |
|--------------------------|--------|---------|
| Slicer | 254 | \$50 80 |
| Martin of Siskiyou | 254 | 50 80 |
| Munday | 254 | 50 80 |
| Williams | 254 | 50 80 |
| Haile | 254 | 50 80 |
| Doss | 254 | 50 80 |

MILLER (of Marin), Chairman.

The resolution was adopted.

Mr. Newell, from the Committee on Engrossment, made the following report:

Mr SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 168—An Act to amend an Act entitled an Act to exempt the homestead and other property from forced sale in certain cases, approved April twenty-first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 149—An Act to authorize W. S. Chaffe, Marcus Harloe, Victor Ustusaustegui, Frank Molleda and José de Arnaz to build a wharf and railroad track at San Buenaventura, in the County of Santa Barbara.

Also, substitute for Assembly Bill No. 468—An Act to authorize and empower George F. Nourse, of the Town of Chico and County of Butte, his associates and assigns, to build and run a street railroad from Chico Landing, on the Sacramento River, to the Town of Chico, Chico Township, County of Butte, and for branch lines thereto.

Also, Assembly Bill No. 146—An Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first eighteen hundred and fifty one.

Also, Assembly Bill No. 331—An Act supplementary to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Also, Assembly Bill No. 506—An Act to appropriate money for the relief of James W. Marshall.

NEWELL of Committee

SPECIAL ORDER

Assembly Bill No. 489

Mr. Hihn offered as a substitute Assembly Bill No. 120—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight.

The Committee on Swamp and Overflowed Lands were granted leave of absence to attend to committee duty.

Substitute adopted.

Amended and amendments adopted.

Mr. Haile moved to strike out "nine" in section six.

Lost.

Mr. Carothers moved to strike out section six.

Lost.

On the engrossment of the bill, the ayes and noes were demanded by Messrs. Rockwell, Thomas and Carothers, and it was ordered engrossed, by the following vote:

AYES—Messrs. Andrews, Brown of Amador, Carothers, Colonel Doss, Escandon, Gildea, Green, Hawley, G. R. B. Hayes, Henley of Mendocino, Hihn, Hudson, Inman, Johnson, King, Lewelling, McMillan, McMurry of Trinity, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Rockwell, Romer, Satterwhite, Shoemaker, Thomas, Waldron, Williams and York—34.

NOES—Messrs. Appling, Biggs, Brown of Yuba, Crigler, Duffy, For-

tune, Fryer, Haile, Horan, Koutz, Martin of Butte, Martin of Siskiyou, Murphy of Del Norte and Klamath, Newell, Odell, Pool, Sammons, Slicer, Walden and Mr. Speaker—20

On motion of Mr. Hihn the rules were suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Brown of Yuba from the Committee on Enrolment, made the following report:

• **MR. SPEAKER** Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 394—An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the construction of wagon roads in said county.

Also, Assembly Bill No. 252—An Act concerning roads and highways in San Bernardino County.

Also, Assembly Bill No. 338—An Act to provide for the erection of a jail in the County of Del Norte.

Also, Assembly Bill No. 435—An Act amendatory of and supplementary to an Act, approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Also, Assembly Bill No. 204—An Act to amend an Act, approved March twelfth, eighteen hundred and sixty-eight, entitled an Act to provide for the drainage of the City of Sacramento and of the lands of Swamp Land District Number Two.

And this day, at eleven o'clock and fifteen minutes A. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee

Mr. Haile moved to place all the other bills of the special order second on the file for to-morrow.

Lost.

Assembly Bill No. 131—An Act to authorize James H. Thompson and Wm. Stannas, and their associates, successors and assigns, to build and maintain a wharf at the City of Vallejo, County of Solano.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 360—An Act to authorize the building of a wharf in the Bay of Crescent City, Del Norte County.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

At nine o'clock and twenty-five minutes P. M. Mr. Satterwhite moved to adjourn.

Lost.

Assembly Bills Nos. 256 and 249 withdrawn by the author.

Assembly Bill No. 132—An Act to authorize Michael S. Derwin, and his associates and assigns, to construct, maintain and use a wharf at the City of Vallejo, County of Solano.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

At nine o'clock and thirty-three minutes P. M., on motion of Mr. Blankenship, the House adjourned.

GEO. H. ROGERS,

Speaker

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.

Friday, March 4th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Rev. O. P. Fitzgerald.

Journal of yesterday read and approved.

Messrs Power and Kelley were granted leave of absence for two days, and Mr. M. Hayes for one day

PETITIONS.

Mr Martin of Siskiyou presented a memorial of the California Prison Commission, setting forth the objects of the Commission and asking an appropriation

Received and referred to the Committee on Ways and Means

Mr Fryer presented a petition and protest of citizens of Los Angeles County, against the repeal of the law regulating fees and salaries, passed in eighteen hundred and sixty-seven and eighteen hundred and sixty-eight.

Received and referred to the Committee on Fees and Salaries

REPORTS OF STANDING COMMITTEES.

Mr Naphtaly, from the Judiciary Committee, made the following report:

MR. SPEAKER: In accordance with the instructions of the Assembly, the Judiciary Committee report back Assembly Bill No. 13—An Act to establish a police force for the protection and regulation of Asiatic and Mongolian residents of this State, and to prevent coolie slavery in California—but make no recommendation concerning the same.

NAPHTALY, Chairman.

Mr. G. R. B. Hayes, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 499—An Act to grant the right to convey water in pipes to supply the inhabitants of the Town of Oroville

G. R. B. HAYES, of Committee

Mr. Brown of Amador, from the Committee on Elections, made the following report:

MR. SPEAKER: The Committee on Elections, to whom was referred Assembly Bill No. 447—An Act to preserve the secrecy of ballots at elections—have had the same under consideration, report it back and recommend its passage.

BROWN (of Amador), Chairman.

Mr. Newell, from the Committee on Roads and Highways, made the following report :

Mr. SPEAKER : The Committee on Roads and Highways, to whom was referred Assembly Bill No. 393—An Act to provide for the construction and maintenance of a wagon road in Lake County—have had the same under consideration, report it back and recommend its passage.

NEWELL, Chairman

REPORTS OF SPECIAL COMMITTEES.

Mr. Stephens made the following report :

Mr. SPEAKER : The Sacramento, Yolo and Solano delegations, to whom was referred Senate Bill No. 73—An Act entitled an Act to amend an Act entitled an Act more clearly to define the boundaries of Sacramento, Sutter and Placer Counties, approved March thirteenth, eighteen hundred and sixty-six—have had the same under consideration and respectfully report the same back and recommend its passage.

STEPHENS, for Delegations.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Naphtaly, Assembly Bill No. 373 was ordered printed as amended.

The following resolution, offered by Mr. Duffy on yesterday, was taken up :

Resolved. That from and after March, the fifteenth instant, no bills shall be introduced in this Assembly, unless by permission of two-thirds of all the members present

Mr. Brown of Amador moved to amend by striking out "fifteenth" and insert "twentieth" of March.

Accepted, and the resolution as amended adopted.

[Speaker pro tem in the chair]

Mr. Duffy offered a concurrent resolution :

Resolved by the Assembly, the Senate concurring, That the Senate and Assembly meet in joint convention on Wednesday, March ninth, eighteen hundred and seventy, at twelve o'clock M., in the Assembly Chamber, for the purpose of considering the various propositions for the location of the State Normal School and selecting a site therefor.

On motion of Mr. G. R. B. Hayes, laid on the table.

Mr. McMurry of Trinity moved that Messrs Ryan and Hihn be added to the Committee on Investigation appointed on yesterday.

On which the ayes and noes were demanded by Messrs McMurry of Trinity, Miller of Marin and Martin of Siskiyou, and the House refused, by the following vote :

AYES—Messrs Andrews, Berry, Biggs, Brown of Amador, Duffy, Fryer, Gildea, Green, Hailo, G. R. B. Hayes, Hubner, Inman, Lambert,

Lewelling, Martin of Siskiyou, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphtaly, Newell, Sammons, Searce, Shoemaker, Shores, Waldron and Young—29

Noe—Messrs Appling, Blankenship, Brown of Yuba, Carothers, Colonel, Crigler, Doss, Eichelroth, Escandon, Fortune, Freeman, Hawley, Horan, Hudson, Johnson, Martin of Butte, McClaskey, Mooney, Munday, Murphy of Del Norte and Klamath, Oates, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Stephens, Thomas, Thurston, Walden, Williams and York—34.

Mr Fortune offered a resolution, to hold evening sessions from seven to nine o'clock

Laid over one day

Mr. Oates tendered his resignation as a member of the Committee on Swamp and Overflowed Lands

Mr. Martin of Butte moved to indefinitely postpone the resignation.

Carried unanimously.

The resolution offered on yesterday, adding Mr. Horan to the Committee on Public Buildings and Grounds, was taken up and adopted.

SENATE MESSAGES

The following messages were received from the Senate :

SENATE CHAMBER,
March 3d, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, as amended, Assembly Bill No. 479—An Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said Calaveras County.

ROBERTS,
Secretary.

SENATE CHAMBER,
March 3d, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, indefinitely postponed Assembly Bill No 140—An Act authorizing John W. Duddleston and his assigns to construct and maintain a toll road in Mono County.

Also, indefinitely postponed Assembly Bill No. 32—An Act to extend the provisions of an Act entitled an Act concerning hogs running at large in certain counties

And amended and passed Assembly Bill No 121—An Act to amend an Act entitled an Act to protect sheep and lambs in this State.

And adopted a substitute for Assembly Bill No. 153—An Act relating to the Board of Education of the City and County of San Francisco, and more particularly defining its powers and duties.

Also, passed Assembly Bill No 320—An Act to provide for the building of a bridge across Putah Creek, in Napa County

Also, passed Assembly Bill No 20—An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library.

Also, passed Assembly Bill No 148—An Act to confer additional

powers upon the Board of Supervisors of the City and County of San Francisco

Also, passed Assembly Bill No 262—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco

Also, passed Assembly Bill No 70—An Act to authorize Assessors to complete duties imperfectly performed

Also, amended and passed Assembly Bill No 233—An Act to fix the terms of the County Court and Probate Court of the County of Monterey.

Also, passed Assembly Bill No 107—An Act for the protection of deer in San Mateo County

Also, amended and passed Assembly Bill No. 243—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State

And passed Assembly Bill No 292—An Act to authorize the Trustees of the City of Benicia to refund the debt of said city

Also, passed Assembly Bill No. 211—An Act amendatory of an Act to provide for the formation of corporations for certain purposes

Also, passed Assembly Bill No 51—An Act for the relief of the San Francisco Cadets

Also, on this day, passed Assembly Bill No 358—An Act to authorize the Mayor and Common Council of the City of Marysville to close up Virgin alley, between Seventh and Eighth streets

Also, passed Assembly Bill No. 346—An Act to grant further powers to the Board of Trustees of the City of San Diego, and establish the boundaries of said city

And, on the first of March, passed, under suspension of the rules, Senate Bill No. 476—An Act to prevent the destruction of fish and game in, upon and around the waters of Lake Merritt or Peralta, in the County of Alameda

CURTIS,
Assistant Secretary.

SENATE CHAMBER. }
March 3d, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, passed Senate Bill No. 7—An Act to provide and pay for services rendered for the City and County of San Francisco—notwithstanding the objections of the Governor.

ROBERTS.
Secretary

CONSIDERATION OF SENATE MESSAGES

On the question of passing Senate Bill No. 7, above reported, notwithstanding the objection of the Governor, the roll was called and the bill so passed, by the following vote:

AYES—Messrs. Andrews, Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Colonel, Crigler, Doss, Duffy, Eichelroth, Escandon, Finney, Fortune, Freeman, Gildea, Green, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Johnson, Koutz, Lambert, Martin of Butte, McClaskey, McMillan, McMurphy of El Dorado, McMurphy of Trinity, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del

Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Stephens, Thomas, Thurston, Waldron, Williams, York and Young—63.

NOES—Messrs Hihn and Lewelling—2

Assembly Bill No 479 above reported Senate amendments concurred in

Assembly Bill No 233 above reported Senate amendments concurred in

Assembly Bill No 243, above reported Senate amendments concurred in

Assembly Bill No 153 above reported, Senate amendments concurred in.

Assembly Bill No. 121, above reported, Senate amendments concurred in.

Senate Bill No 476, above reported read first and second times and referred to the Alameda delegation.

INTRODUCTION OF BILLS

Bills were introduced as follows :

By Mr. Romer—An Act to authorize the Saucelito Land and Ferry Company to establish and maintain a public ferry between Marin County and the City and County of San Francisco

Read first and second times and referred to the Committee on Commerce and Navigation

By Mr. Fortune—An Act for the relief of A. J. Younger

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

By Mr. Finney—An Act to amend an Act entitled an Act to amend an Act entitled an Act to organize and regulate townships in San Mateo County and to define the respective powers, duties and compensation of county and township officers in certain cases, approved March twenty-eighth, eighteen hundred and sixty eight.

Read first and second times and, by unanimous consent, rules suspended, bill read a third time and passed ; title approved

By Mr. G. R. B. Hayes—An Act for the relief of J. J. McCreedy.

Read first and second times and referred to the Committee on Claims

By Mr. Miller of Marin—An Act to authorize the establishment of a steam ferry between the Village of Tomales and the opposite side of Tomales Bay to Land's Landing, in Marin County, and to construct wharves and docks for the same

Read first and second times and referred to the Committee on Commerce and Navigation

By Mr. Escandon—An Act for assessing and collecting revenue in the Town of San Buenaventura and approving all ordinances and proceedings of the Town Trustees

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

By Mr. Satterwhite—An Act to appropriate money to pay expenses in suppressing Indian hostilities in San Bernardino County

Read first and second times and referred to the Committee on Indian Affairs

By Mr. Naphtaly—An Act to amend an Act entitled an Act concern-

ing the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Read first and second times and referred to the Judiciary Committee

By Mr Naphtaly (by request)—An Act to open St Charles Place, in the City and County of San Francisco, as a public thoroughfare.

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

GENERAL FILE

Assembly Bill No. 514—An Act for the location of the State Normal School of the State of California.

Mr. Martin of Butte moved to strike out "San José" and "County of Santa Clara," and insert "the Town of Oroville" and "County of Butte"

Lost

Mr. Lambert moved to strike out "San José" and insert "Susanville"

Lost

Mr. Rogers moved to strike out "San José" and "Santa Clara County" wherever it occurs in the bill.

Mr. Naphtaly moved to strike out "San José" and "Santa Clara County," and insert "City and County of San Francisco."

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker pro tem. in the chair.

Roll called.

Quorum present

GENERAL FILE RESUMED.

Assembly Bill No 514 continued

At two o'clock P. M. the special order for that hour, Senate Bill No 149—An Act concerning the Insane Asylum of the State of California—was, on motion of Mr. Inman, temporarily postponed to continue the consideration of Assembly Bill No 514.

Mr. Horan moved to make the bill the special order for Thursday next, at 11 o'clock A. M.

Mr. Thomas offered an amendment to strike out "Thursday" and insert "Tuesday."

Lost.

When the motion of Mr Horan was agreed to.

Mr Lambert offered a concurrent resolution in reference to a joint convention to decide upon the location of the State Normal School

Messrs Naphtaly, and Murphy of Santa Clara offered amendments which were being considered, when Mr. Thomas rose to a point of order, stating that the special order set for two o'clock had been only temporarily postponed to consider Assembly Bill No. 514, and that the special order was now the question before the House

Sustained by the Speaker.

REPORTS.

Mr Ryan, from the Committee on Enrolment, made the following report :

Mr SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 70—An Act to authorize Assessors to complete duties imperfectly performed.

Also, Assembly Bill No. 73—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, A. D. eighteen hundred and sixty-two

Also, Assembly Bill No. 77—An Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide for a bounty for the same

Also, substitute for Assembly Bill No. 81—An Act to confirm a certain order passed by the Board of Supervisors of the City and County of San Francisco, and to authorize said Board to appropriate money for certain purposes.

Also, Assembly Bill No. 151—An Act empowering the Board of Education of the City and County of San Francisco to pay the claim of William Craine.

Also, Assembly Bill No. 210—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Assembly Bill No. 211—An Act amendatory and supplemental to an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three, and the Acts amendatory thereof and supplemental thereto.

Also, substitute for Assembly Bill No. 283—An Act to regulate the salaries and fix the compensation of certain county officers of the County of Nevada

Also, Assembly Bill No. 319—An Act to cede certain property to the Town of Crescent City

Also, Assembly Bill No. 325—An Act amendatory of an Act entitled an Act to provide for establishing, maintaining and protecting public and private roads in the County of Contra Costa

Also, Assembly Bill No. 109—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco

Also, Assembly Bill No. 479—An Act to regulate the fees and salaries in the County of Calaveras, and to define the duties of certain officers in said County of Calaveras

And this day, at three o'clock P. M., presented the same to the Governor for his approval.

RYAN, Chairman

Mr. Naphtaly, from the San Francisco delegation, by leave, submitted the following report:

Mr. SPEAKER: The San Francisco delegation, to whom was referred Senate Bill No. 117—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board—have had the same under consideration, beg leave to report the same back and recommend its passage.

FORTUNE, for Delegation.

Mr. Lambert moved to postpone the special order, to consider the bill just reported.

Carried

Assembly Bill No 117.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Mr Haile moved to postpone the special order to Tuesday next, at two o'clock P M

Lost, on a division.

SENATE MESSAGE.

On motion of Mr Thomas the rules were suspended to take up the following Senate message :

SENATE CHAMBER,
March 4th, 1870 }

Mr. SPEAKER : I am directed to inform the Assembly that the Senate, on yesterday, passed substitute for Senate Bill No 255—An Act to establish pilots and pilot regulations for the ports of San Francisco, Mare Island, Vallejo and Benicia

Also, amended and passed substitute for Assembly Bill No. 245—An Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Substitute for Senate Bill No 255, above reported, read first and second times and ordered on file.

Assembly Bill No 245, above reported, Senate amendments to section four were concurred in

Mr Hibn moved to refer the bill to the Committee on Fees and Salaries

Lost.

Senate amendments further concurred in

Mr. Hubner sent up the following protest, which the House refused to have read The protest was received and ordered spread upon the Journal :

Mr. SPEAKER : As a member of this House, representing the County of San Joaquin, having the welfare and benefit of said county at heart, and the voters of said county at the last election having expressed their opinion that they placed confidence in me by electing me to the position which I have the honor to occupy, I feel it a duty which I owe to my constituents of both parties to protest against the concurrence of this House in the amendments made by the Senate to Assembly Bill No. 245—An Act to regulate fees and salaries of certain officers and to repeal other Acts in relation thereto—at least as far as my county is concerned, for the following reasons : The fees and salaries for the different officers of San Joaquin County were amply sufficient in the bill, as the same was sent to the Senate for their action One officer, the District Attorney, was even five hundred dollars higher than the present District Attorney is receiving, and the salaries and fees are a very little lower in the bill sent to the Senate than they are now and have been Whilst I do not approve of or desire that the county officers should not receive a liberal salary and pay, I cannot consent to have the same raised from what it is now and has been, as it will be if the House adopt the amendments

proposed by the Senate to said bill I repeat again, I owe it to my constituents to protest against it.

HUBNER

Section eighteen, Senate amendment inserted "Humboldt" in line ten.

Mr. De Haven moved the House do not concur

Lost

When the amendment was concurred in.

The Senate amendments to the bill, as reported from the Senate, were concurred in

Mr. Martin of Butte moved that Mr. Hahn be authorized to assist the Enrolling Committee in having the bill properly enrolled.

Carried

On motion of Mr. Biggs, the Committee on Public Buildings and Grounds were granted indefinite leave of absence

Mr. Murphy of Del Norte was allowed to record his protest against the concurrence in the Senate amendments to Assembly Bill No. 245, as far as such amendments apply to the Counties of Klamath and Del Norte

Mr. Lambert moved that the special order set for to day at two o'clock, and which had been postponed to this hour, be discharged, and that the bill be ordered to the top of the general file for to-morrow

Carried.

On motion of Mr. Horan, Assembly Bill No. 501 was referred to the Committee on Claims.

Mr. Blankenship moved that the enrolled copy of Assembly Bill No. 245 be printed

Mr. Hahn moved to amend, by ordering seven hundred and fifty copies of the bill printed

Accepted

When the motion was laid over for one day

Mr. Koutz, by leave, introduced a bill for an Act in relation to the county officers of the County of Sierra

Read first and second times and referred to the Committee on Fees and Salaries

On motion of Mr. Horan, the rules were suspended to take up Assembly Bill No. 441—An Act to authorize the Board of Trustees of the City of Sacramento to allow a certain claim therein mentioned

Rules suspended, bill considered engrossed, read a third time and passed; title approved

At four o'clock and forty-five minutes p. m. Mr. Lambert moved to adjourn

Lost

Mr. Hahn, by leave, introduced a bill for an Act to authorize James Freeborn and D. A. Barnes, their associates and assigns, to lay down gas pipes in the Town of Watsonville

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

Mr. McClaskey, from the Committee on Swamp and Overflowed Lands, by leave, made the following report:

MR. SPEAKER: Your committee, to whom was referred Assembly Bill No. 519—An Act to grant certain salt marsh and tide lands to the inhabitants of the Town of Santa Cruz—have had the same under consideration, and respectfully report the same back and recommend the passage of the bill

McCLASKEY, Chairman.

At four o'clock and fifty minutes p. m. Mr. Murphy of Del Norte moved to adjourn.

Lost.

At four o'clock and fifty-one minutes p. m. Mr. Haile moved to take a recess till half past seven o'clock this evening.

On which the ayes and noes were demanded by Messrs. Murphy of Del Norte, Haile and Slicer and the House refused, by the following vote:

AYES—Messrs. Berry, Blankenship, Brown of Yuba, Carothers, Crigler, De Haven, Green, Haile, Henley of Sonoma, Horan, Hudson, Inman, Koutz, Lewelling, Miller of Marin, Moynihan, Newell, Odell, Pool, Sammons, Shoemaker, Walden, Waldron and Mr. Speaker—24

NOES—Messrs. Andrews, Appling, Biggs, Coronel, Duffy, Eichelroth, Escandon, Finney, Freeman, Fryer, Gildea, Henley of Mendocino, Hihn, Johnson, Lambert, McClaskey, McMurry of Trinity, Merritt, Miller of El Dorado, Munday, Murphy of Del Norte and Klamath, Naphtaly, O'Connell, Satterwhite, Scarce, Shores, Slicer, Thomas, Thurston, Williams, York and Young—32

Mr. Blankenship, by leave, introduced a bill for an Act to authorize and confirm the corporate acts of the Salinas and Pajaro Turnpike Road Company.

Read first and second times and ordered on general file

Mr. Hihn, from the Committee on Fees and Salaries, by leave, made the following report:

MR. SPEAKER: The Committee on Fees and Salaries, to whom was referred Assembly Bill No. 551—An Act in relation to the county officers of the County of Sierra—herewith report said bill back and recommend its passage.

HIHN, Chairman

On motion of Mr. Koutz, the rules were suspended and the above reported bill was taken up

Rules further suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Merritt, from the Committee on Counties and County Boundaries, by leave, made the following report:

MR. SPEAKER: The Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 430—An Act to submit the question of the removal of the county seat of Kern County to the qualified voters thereof—respectfully report that they have had the said bill under consideration, and herewith report the same back with an amendment, and recommend its passage as amended.

MERRITT, Chairman.

At five o'clock and five minutes p. m., on motion of Mr. Satterwhite, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, March 5th, 1870. }

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

QUESTION OF PRIVILEGE.

Messrs Haile and Berry rose to questions of privilege, in reference to articles published in the *Sacramento Daily Union* newspaper, which placed them in a false position in relation to the minority report of the Committee on Swamp and Overflowed Lands upon Senate Bill No 53, stating they favored the minority report in committee and on the floor of the House, and all the credit of making a minority report was not due to Mr. Duffy, who had not met with the committee while the subject was under consideration. Messrs Thurston, Doss and Rockwell also spoke to questions of privilege, in reference to the same subject.

Messrs Miller of Marin and Murphy of Santa Clara were each granted leave of absence for two days, and Messrs. McMurry of El Dorado, Inman and Coronel, indefinite leave, on account of sickness.

REPORTS OF STANDING COMMITTEES.

Mr. Naphtaly, from the Judiciary Committee, made the following report :

MR SPEAKER : The Judiciary Committee, to whom was referred Senate substitute for Senate Bill No 10—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—respectfully report that they have had said bill under consideration, report the same back and recommend the passage of the bill

They have also considered Senate Bill No 300—An Act providing for the appointment of additional Notaries Public in Sacramento County—respectfully report the same back and recommend the passage of the bill.

They have also considered Senate Bill No 56—An Act to authorize Harriet Wilkins, administratrix of the estate of Henry Wilkins, deceased, to sell the real and personal estate of said deceased—respectfully report the same back and recommend the passage of the bill

They have also considered Senate Bill No 280—An Act amendatory of and supplemental to an Act entitled an Act to authorize the Judges of the Supreme Court to employ a Secretary, approved April twenty-third, eighteen hundred and fifty-eight—respectfully report the same back and recommend the passage of the bill.

They have also considered Senate Bill No. 248—An Act to provide for the payment of certain salaries in the County of Calaveras—respectfully report the same back and recommend the passage of the bill.

They have also considered Senate Bill No. 109—An Act to settle and pay the unpaid expenses of the State Geological Survey—respectfully report the same back and recommend the passage of the bill

They have also considered Assembly Bill No. 229—An Act to legalize the survey of Clark's addition to the Town of Eureka—respectfully report the same back and recommend the passage of the bill

They have also considered Assembly Bill No. 453—An Act supplementary to an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two—respectfully report the same back and recommend the passage of the bill

They have also considered Assembly Bill No. 452—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—respectfully report the same back and recommend the passage of the bill

They have also considered Assembly Bill No. 364—An Act authorizing the publication of certain legal notices in a State paper, printed at the seat of Government of the State of California—respectfully report the same back with amendments and recommend the passage of the bill as amended

NAPHTALY, Chairman

Mr. King, from the Committee on Corporations, made the following report :

MR. SPEAKER : The Committee on Corporations, to whom was referred Assembly Bill No. 167—An Act to amend an Act entitled an Act to incorporate the City of Vallejo, approved March thirtieth, eighteen hundred and sixty-eight—have had the same under consideration, and report it back with a substitute, and recommend the passage of the substitute

Also, Assembly Bill No. 424—An Act to authorize the Board of Trustees of the City of Benicia to subscribe to the capital stock of a railroad and to issue bonds in payment thereof, and other matters relating thereto—have considered the same, and report the bill back with amendments and recommend its passage as amended

Also, Assembly Bill No. 426—An Act to incorporate the Town of San Juan Capistrano—and report the bill back and recommend that it do not pass

KING, Chairman

Mr. Finney, from the Committee on Engrossment, made the following report :

MR. SPEAKER : Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 441—An Act to authorize the Board of Trustees of the City of Sacramento to allow a certain claim therein mentioned

Also, Assembly Bill No. 520—An Act fixing the times at which the Board of Supervisors of the County of San Joaquin shall hold their regular sessions

Also, Assembly Bill No. 363—An Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo

Also, Assembly Bill No. 131—An Act to authorize James H. Thompson and William Stannas, and their associates, successors and assigns, to

build and maintain a wharf at the City of Vallejo, in the County of Solano.

Also, Assembly Bill No. 133—An Act to authorize Michael S. Derwin and his associates and assigns, to construct, maintain and use a wharf at the City of Vallejo, in the County of Solano.

Also, Assembly Bill No. 360—An Act to authorize James K. Johnson, J. Wells, their associates and assigns, to construct and maintain a wharf in the Bay of Crescent City, in Del Norte County.

Also, Assembly Concurrent Resolution No. 19—For the establishment of a mail route from Moore's Flat to Graniteville.

Also, Assembly Bill No. 120—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight.

Also, Assembly Bill No. 543—An Act to amend an Act entitled an Act to amend an Act entitled an Act to organize and regulate townships in San Mateo County, and to define the respective powers, duties and compensation of county and township officers in certain cases, approved March twenty-eighth, eighteen hundred and sixty-eight.

FINNEY, of Committee

Mr. Haile, from the Committee on Swamp and Overflowed Lands, submitted the following report:

MR. SPEAKER: Your committee, to whom was referred substitute for Senate Bill No. 185—An Act to provide for the reclamation of swamp, salt marsh, tide and other overflowed lands—have had the same under consideration, and respectfully report the same back, with amendments, and recommend the passage of the bill as amended

McCLASKEY, Chairman.

Mr. Berry gave notice that he would make a minority report in reference to Senate Bill No. 185

Mr. Merritt, from the Committee on Ways and Means, made the following report:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No. 341—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved March thirtieth, eighteen hundred and sixty-eight, also, Assembly Bill No. 451—An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose—have had said bills under consideration, and report the same back to the Assembly and recommend their passage

MERRITT, for Committee

Mr. Origler, from the Committee on State Prisons, made the following report:

MR. SPEAKER: Your Committee on State Prisons, to whom was referred Assembly Bill No. 403—An Act concerning the State Prison of the State

of California—have had the same under consideration, and beg leave to report the same back and recommend that it do not pass.

CRIGLER, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Mr. Eichelroth, from the Tuolumne delegation, made the following report:

MR. SPEAKER: The delegation of the County of Tuolumne, to whom was referred Senate Bill No 477, report the same back and recommend its passage.

EICHELROTH, for Delegation

On motion of Mr. Eichelroth, the rules were suspended to consider the above reported bill

Read a third time and passed; title approved

Mr. Rockwell made the following report:

MR. SPEAKER: I am directed by the special committee appointed to investigate the charge made by Mr. Moynihan, that a certain party or parties unknown has attempted to bribe a member of the Assembly, to make the following report:

The committee met on the evening of the fourth of March to investigate the matter, Mr. Thurston being absent. By direction of the Chairman of the committee, the Sergeant-at-Arms of the Assembly had summoned T. J. Moynihan, Assemblyman, and Robert Ferral, Clerk of the Assembly, to appear before the committee as witnesses. At the time appointed, Mr. Moynihan appeared before the committee, accompanied by Mr. G. R. B. Hayes, who desired to appear as his counsel. The committee, after carefully considering the matter, could not understand that Mr. Moynihan was on trial; could not understand that he was anything else but a witness whose evidence was of all importance to enable the committee to proceed intelligently in the work of investigation. The committee therefore decided that at that stage, at least, counsel could not be allowed. Mr. Moynihan was then requested to give his evidence before the committee. He positively refused to make any statement whatever, unless he was allowed counsel, and left the committee room. Mr. Ferral was then sworn and produced a certain piece of scrip which he stated had come into his possession, as Clerk of the Assembly, from Mr. Moynihan, who had asserted in the House that said scrip had been given him for the purpose of corruptly influencing his vote on a certain bill.

The committee feel it necessary that a most thorough investigation be made in the premises, in order that the guilty parties may be discovered and brought to punishment. Unless, however, the most important witness in the matter can be made to testify, the ends of justice cannot be attained.

The committee would like to have an expression of the opinion of the House as to whether any or all witnesses appearing before a committee shall be allowed to appear with counsel, the committee believing that its duty, in the premises, is simply to ascertain facts and report them to the House, and not to try parties or sit in judgment upon men.

The committee adjourned to meet again on Tuesday evening next,

and, on that occasion, will earnestly strive to carry out any instructions the House may give it in the premises.

ROCKWELL, Chairman,
HENLEY of Mendocino,
NEWELL,
POOL.

Mr. Naphtaly offered the following resolution in regard to the subject of the report:

Resolved, That in the opinion of this House, Mr. T. J. Moynihan has the right to have counsel in the investigation now progressing before the special committee, concerning the charges made by him on the floor of this House.

Mr. Henley of Sonoma offered an amendment, for the discharge of the present committee and the constitution of a new one, to be appointed by the Speaker.

Lost

Mr. Martin of Butte offered an amendment, that all witnesses coming before that committee be allowed counsel

Adopted.

On the adoption of the resolution as amended, the ayes and noes were demanded by Messrs. Andrews, Martin of Siskiyou, and G. R. B. Hayes, and the House refused, by the following vote:

AYES—Messrs. Andrews, Berry, Brown of Amador, Coronel, Crigler, Escandon, Gildea, Green, Hubner, Lewelling, Martin of Siskiyou, McMurry of Trinity, Murphy of Del Norte and Klamath, Naphtaly, O'Connell, Rockwell, Ryan, Shores, Slicer and York—20

NOES—Messrs. Appling, Blankenship, Carothers, De Haven, Eichelroth, Finney, Fortune, Freeman, Fryer, Haile, Hawley, Henley of Sonoma, Hudson, Johnson, King, Koutz, Lambert, Martin of Butte, McMillan, Miller of El Dorado, Mooney, Munday, Odell, Pool, Romer, Sammons, Satterwhite, Scarce, Stephens, Thomas, Thurston, Walden and Waldron—33.

Mr. Rockwell sent up a communication containing his resignation as Chairman of Committee on Investigation.

On motion of Mr. Satterwhite, the resignation of Mr. Rockwell was accepted

Mr. Satterwhite made a report from the Committee on Public Lands, reporting back Assembly Bill No. 370—An Act to provide for the survey and disposal of certain lands belonging to the State of California—recommending the passage of the bill with amendments.

[For report, see Appendix]

Mr. Naphtaly, from the Judiciary Committee, made the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 512—An Act establishing a Commission for the revision of the laws (introduced by Mr. Slicer of Nevada)—herewith return said bill to the House, at the request of the author, and without recommendation

NAPHTALY, Chairman.

Mr. Martin of Butte made the following report:

Mr. SPEAKER: Your committee to whom was referred Assembly Bill No. 467—An Act to prescribe the duties of certain officers in the County of Butte—report the same back with amendments, and recommend the passage of the same.

MARTIN (of Butte), for Delegation

Mr. Martin of Butte moved to suspend the rules to consider the above bill now

Carried.

Rules further suspended, bill considered engrossed, read a third time and passed; title approved

Mr. Odell submitted the following report:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 510—An Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three—beg leave to report the same back and recommend its passage

FREEMAN, for Delegation.

On motion of Mr. Stephens, the rules were suspended to consider the above bill now.

Rules further suspended, bill considered engrossed, read a third time and passed; title approved

Mr. Carothers, by leave, introduced the following concurrent resolution:

Resolved by the Assembly, the Senate concurring, That the Enrolling Clerk of the Assembly is hereby authorized and directed to correct an error in Assembly Bill No. 245—An Act to regulate fees and salaries of certain officers and to repeal certain other Acts in relation thereto—whereby the Assessor in the County of Contra Costa is allowed twelve hundred dollars per annum, instead of fifteen hundred dollars, as amended by the Assembly.

Adopted, and resolution ordered transmitted to the Senate immediately.

GOVERNOR'S MESSAGES

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT }
Sacramento, March 4th, 1870 }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 181—An Act for the relief of the District Collectors of Revenue Districts One, Two, Three and Four, in Tuolumne County

Also, Assembly Bill No. 338—An Act to provide for the erection of a jail in the County of Del Norte.

Also, Assembly Bill No. 204—An Act to amend an Act, approved March twelfth, eighteen hundred and sixty-eight, entitled an Act to provide for the drainage of the City of Sacramento and of the lands of Swamp Land District Number Two.

Also, Assembly Bill No. 252—An Act concerning roads and highways in San Bernardino County.

Also, Assembly Bill No. 394—An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county, and apply the proceeds thereof to the construction of wagon roads in said county.

Also, Assembly Bill No. 15—An Act relative to the office of District Attorney of the County of Sacramento.

H. H. HAIGHT,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 5th, 1870. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 73—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

Also, Assembly Bill No. 319—An Act to amend an Act to cede certain property to the Town of Crescent City, approved March twenty-sixth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 211—An Act amendatory of and supplemental to an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three, and the Acts amendatory thereof and supplemental thereto.

Also, Assembly Bill No. 325—An Act amendatory of an Act entitled an Act to provide for establishing, maintaining and protecting public and private roads in the County of Contra Costa.

Also, Assembly Bill No. 210—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Assembly Bill No. 479—An Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said Calaveras County.

Also, Assembly Bill No. 109—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco.

Also, substitute for Assembly Bill No. 283—An Act to regulate the salaries and fix the compensation of certain county officers of the County of Nevada.

H. H. HAIGHT,
Governor

MOTIONS AND RESOLUTIONS.

Mr. Eichelroth, by leave, offered the following resolution :

Resolved, That the usual number of copies of Assembly Bill No. 57 be printed as amended, and the bill be made the special order for Monday next, at two o'clock P. M.

Adopted.

Mr. Miller of El Dorado offered the following resolution :

WHEREAS, the Chairman of the Committee on Engrossment has resigned his position; and whereas, the duties of the committee consume more time than can be spared by a few, therefore be it

Resolved, That the Speaker be requested to appoint a Chairman to fill the vacancy occasioned by the resignation of Mr Martin of Butte, and also to add two additional names to the committee.

The following resolution, offered by Mr Fortune, on yesterday, was taken up :

Resolved, That this House do hold evening sessions on each and every evening, from seven to nine o'clock, Fridays and Saturdays excepted.

Mr. Lambert offered an amendment, excepting Tuesday evenings also.
Lost.

Mr. Waldron moved to amend, by striking out " nine o'clock."

Accepted.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called

Quorum present

Mr. Thomas was granted leave of absence for two days, and Messrs. Merritt, Carothers, Haile and Newell for the remainder of the day.

The resolution offered by Mr Fortune, under consideration when the House took its recess, was adopted as amended

The Speaker appointed Mr. Berry Chairman of Special Committee, vice Mr. Rockwell, resigned.

Mr. Berry asked and was excused from serving, by the House, whereupon the Speaker appointed Mr. Crigler.

Mr. Finney, from the Committee on Engrossment, made the following report :

MR. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 375—An Act to amend an Act entitled an Act to establish the County of Fresno, passed April nineteenth, eighteen hundred and fifty-six

Also, Concurrent Resolution No 42—For the establishment of a mail route in Santa Clara County.

FINNEY, for Committee.

In accordance with a resolution adopted by the House, authorizing the Speaker to appoint a Chairman of Engrossing Committee, to fill the vacancy occasioned by the resignation of Mr Martin of Butte, also two additional members upon that committee, the Speaker appointed Mr Newell as Chairman, and Messrs. Lewelling and Blankenship additional members.

Mr. Berry, by leave, introduced a bill for an Act concerning lawful fences in the County of Sulter.

Read first and second times and ordered on general file.

Mr. Satterwhite offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That five hundred additional copies of the report of the State Agricultural Society be printed for the use of this House to be furnished to the Sergeant-at-Arms and by him distributed equally among the members.

Mr Gildea moved to amend by inserting two thousand—five hundred for the use of the Senate, five hundred for the use of the House and one thousand for the use of the State Agricultural Society.

Accepted

When the resolution, as amended, was adopted

Mr. Hubner offered a resolution, requesting a strict observance of joint rule number nineteen.

The Speaker stated the resolution was not necessary, as members had a right to demand the enforcement of the rules, and he gave directions to the Sergeant-at-Arms to have the rule referred to strictly observed.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER, }
March 5th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, passed, under suspension of the rules, Assembly Bill No. 115—An Act to authorize Michael C Duffy, Charles A. Scheidel, Theodore A. Coult and Caleb E Wilcoxon, and their associates and assigns, to construct and maintain a railroad in the City of Marysville, Yuba County, and the Town of Yuba City, Sutter County.

Also, amended and passed Assembly Bill No. 203—An Act to repeal an Act entitled an Act to amend section eighteen of an Act to establish and maintain public pounds, etc.

Also, passed Assembly Bill No. 421—An Act in relation to the office of Court Commissioner of the County of San Joaquin

Also, Assembly Bill No. 215—An Act to legalize certain conveyances made by Gretta C. Thompson

Also, amended and passed substitute for Assembly Bill No. 3—An Act authorizing the laying down of a railroad track in certain of the streets of the City and County of San Francisco for grading purposes.

Also, adopted Senate Concurrent Resolution No. 13—Relative to mail route in Merced County.

Also, Senate Concurrent Resolution No. 35—Relative to granting leave of absence to Sidney Waite, of San Bernardino County.

And indefinitely postponed Assembly Bills Nos. 156 and 242.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Concurrent Resolution No. 13, above reported, read first and second times and referred to the Committee on Federal Relations

Assembly Bill No. 3, above reported, Senate amendments concurred in.

Senate Concurrent Resolution No. 35, above reported, read first and second times and ordered on general file

Assembly Bill No. 203, above reported, Senate amendments to the bill concurred in

Mr. Shores was excused for the remainder of the day.

At two o'clock and five minutes p. m Mr Blankenship moved to adjourn.

Lost.

INTRODUCTION OF BILLS

Bills were introduced as follows:

By Mr. Fortune—An Act in relation to State aid for internal improvements

Read first and second times

Mr. Fortune moved to suspend the rules, to consider the bill now.

Mr. Martin moved to amend, by referring to the Judiciary Committee.

Lost

When the motion of Mr. Fortune prevailed

On the passage of the bill, the ayes and noes were demanded by Messrs. De Haven, Martin of Butte and Waldron

The Clerk was proceeding to call the roll, when Mr. Martin of Butte rose to a point of order, stating that it required the unanimous consent of the House to place a bill on its third reading the day of its introduction.

Sustained.

The bill was then ordered to the general file.

At two o'clock and sixteen minutes P. M. Mr. Gildea moved to adjourn until half-past two o'clock P. M., Monday next.

Lost

By Mr. Stephens—An Act to provide for the erection of a Branch State Prison in the Town of Folsom, Sacramento County.

Read first and second times and referred to the Committee on State Prison.

By Mr. Rockwell—An Act to confirm a certain ordinance passed by the Board of Supervisors of the City and County of San Francisco.

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

By Mr. Thurston—An Act to empower the Counties of Stanislaus, Merced, Fresno and Tulare to aid in the construction of the Stockton and Visalia Railroad.

Read first and second times and referred to the Committee on Railroads

Mr. Appling subsequently moved to reconsider its reference to the Committee on Railroads.

Carried.

The bill was referred to the delegations of the counties named in the bill.

By Mr. McMillan—An Act to provide for the construction of a street railroad within the City and County of San Francisco

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

Also, an Act to adjust and pay losses sustained by John Nugent

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

GENERAL FILE.

On motion of Mr. Fortune, substitute for Assembly Bills Nos. 29 and 39—An Act to reorganize the Police Department of San Francisco, to promote its efficiency and to prohibit the removal of police officers for political opinion—was taken up.

Mr. Naphtaly offered an amendment to section one

Mr. McMillan offered an amendment to the amendment.

Lost.

When the amendment of Mr. Naphtaly was lost

Messrs. Doss, M. Hayes and G. R. B. Hayes were granted leave of absence for the remainder of the day

[Mr. Martin of Siskiyou in the chair]

Mr. Satterwhite moved to recommit the bill to the San Francisco delegation, with special instructions.

Lost

On motion of Mr. Rogers, the rules were suspended, the bill considered engrossed, read a third time and passed; title approved.

On motion of Mr. Appling, Assembly Bill No. 533—An Act to authorize the Supervisors of Fresno County to transfer moneys from one fund to another—was taken up

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Mr. Murphy of Del Norte moved to take up Assembly Bill No. 288—An Act for the relief of John L. Rigg, Tax Collector of Del Norte County.

Carried.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

[Speaker in the chair.]

On motion of Mr. Lambert, Senate Bill No. 149—An Act concerning the Insane Asylum of the State of California—was made the special order for Tuesday next, at two o'clock and thirty minutes P. M.

On motion of Mr. Waldron, Assembly Bill No. 374—An Act to encourage iron mining—was taken up

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY.

Reported back with amendments and passage recommended.

Amendments adopted and bill ordered engrossed.

Mr. Henley of Sonoma, by leave, offered the following resolution:

Resolved, That Assembly Bill No. 370 be made the special order for Tuesday, March eighth, eighteen hundred and seventy, at twelve o'clock M.

Adopted.

At three o'clock and fifteen minutes P. M. Mr. Mooney moved to adjourn

Lost

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled substitute for Assembly Bill No. 245—An Act to regulate fees of office and salaries of certain officers and to repeal certain other Acts in relation thereto.

And this day, at two o'clock and fifteen minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. Fortune moved to place Assembly Bill No. 555 at the top of the file for Monday.

Mr. Martin of Butte moved to refer it to the Judiciary Committee.

Carried.

On motion of Mr. Naphtaly, the rules were suspended to consider Senate Bill No. 248—An Act to provide for the payment of certain salaries in the County of Calaveras

Read a third time and passed; title approved

On motion of Mr. Munday, Assembly Bill No. 336—An Act to legalize the acts and proceedings of the Mayor and Common Council of the City of Sonoma—was taken up.

Substitute amended and adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

On motion of Mr. Berry, Assembly Bill No. 445—An Act concerning roads and highways in the County of Sutter—was taken up

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

On motion of Mr. McMurry of Trinity, Assembly Bill No. 220—An Act amendatory of and supplementary to an Act entitled an Act to provide for the revision and compilation of the laws of the State of California and the publication thereof, approved March twenty-eight, eighteen hundred and sixty-eight—was taken up

Mr. McMurry of Trinity moved to adopt as a substitute Assembly Bill No. 512—An Act to provide for the revision of the laws

Carried

Ordered engrossed.

Mr. McMillan, by leave, offered the following resolution:

Resolved, That the Judiciary Committee report back to this House, on Monday, Assembly Bill No. 372.

Adopted.

In accordance with Assembly Concurrent Resolution No. 40, the Speaker appointed the following committee to carry out the provisions of that resolution: Messrs. Brown of Amador, Finney and Andrews.

At three o'clock and forty-five minutes p. m. Mr. Satterwhite moved to adjourn.

On which the ayes and noes were demanded by Messrs. Gildea, Satterwhite and De Haven, and the House adjourned, by the following vote:

AYES—Messrs. Appling, Brown of Yuba, Finney, Freeman, Hawley, Hudson, Koutz, Lambert, Martin of Butte, McMurry of Trinity, Naphtaly, Oates, O'Connell, Odell, Pool, Rockwell, Romer, Sammons, Satterwhite, Stephens, Thurston, York and Mr. Speaker—22.

NOES—Messrs. Andrews, Berry, Brown of Amador, Crigler, De Haven, Eichelroth, Fryer, Gildea, Henley of Sonoma, Hubner, Martin of Siskiyou, McMillan, Murphy of Del Norte and Klamath, Scarce, Slicer and Waldron—16.

GEO. H. ROGERS.

Speaker.

ROBT FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, March 7th, 1870 }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Chaplain

Journal of Saturday read and approved

Messrs Berry, Miller of El Dorado and all the absentees were granted leave of absence for one day.

PETITION.

The Speaker presented a petition from parties in San Francisco, asking an appropriation for the Protestant Episcopal Church Home Association.

Received and referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

Mr Hubner, from the Committee on Public Morals, made the following report :

MR SPEAKER : The Committee on Public Morals, to whom was referred Assembly Bill No 393—An Act to prohibit and punish seduction—had the same under consideration, and recommend that it be referred to the Judiciary Committee, with instructions to report it back on or before next Thursday.

HUBNER, Chairman.

Mr King, from the Committee on Corporations, made the following report :

MR. SPEAKER : Your Committee on Corporations, to whom was referred Assembly Bill No 546—An Act for assessing and collecting revenue in the Town of San Buenaventura, and approving all ordinances and proceedings of the Town Trustees—have considered the same, report the bill back and recommend its passage.

KING, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Mr. Brown of Amador made the following report :

MR. SPEAKER : The delegations from Amador, Alpine and Sacramento Counties, to whom was referred Assembly Bill No. 194—An Act to authorize James C Shipman et al to construct a railroad from Ione City, in Amador County, to a point at or near Galt, in Sacramento County—have duly considered the same, report it back with amendments, and recommend the passage of the bill as amended.

BROWN (of Amador), for Delegation.

Mr Fortune, from the San Francisco delegation, made the following report:

Mr. SPEAKER: The San Francisco delegation, to whom was referred the following bills, herewith report them back, with their several recommendations:

Assembly Bill No. 558—An Act to provide for the construction of a street railroad in the City and County of San Francisco—passage recommended as amended.

Senate Bill No. 240—An Act granting to the North Beach and Mission Railroad Company certain rights therein named—passage recommended as amended.

Assembly Bill No. 362—An Act to regulate the distribution of the Police Fund of the City and County of San Francisco—passage recommended.

Assembly Bill No. 560—An Act to adjust and pay losses sustained by John Nugent—passage recommended as amended.

Assembly Bill No. 462—An Act to provide for the changing of the grades of certain streets in the City and County of San Francisco—passage recommended.

Assembly Bill No. 517—An Act to provide a charter for the City and County of San Francisco—passage recommended as amended.

Assembly Bill No. 542—An Act for the relief of A. J. Younger—passage recommended.

Assembly Bill No. 473—An Act to grant to certain persons the right of way for a railroad, and to maintain the same within the corporate limits of the City and County of San Francisco, and adjacent thereto—passage recommended.

Assembly Bill No. 559—An Act to confirm a certain order passed by the Board of Supervisors of the City and County of San Francisco—recommend that it be indefinitely postponed.

Senate Bill No. 303—An Act to equalize the rates of fare of the City Railroad Company with certain other street railroad companies in the City and County of San Francisco—passage recommended.

Senate Bill No. 331—An Act supplementary to an Act entitled an Act to authorize the Board of Managers of the San Francisco Orphan Asylum Society, or any other orphan asylum society in this State, to bind as apprentices, clerks, servants, etc.—recommend that it be referred to the Judiciary Committee.

Assembly Bill No. 386—An Act to authorize the Board of Supervisors of the City and County of San Francisco to order paid a certain claim—passage recommended.

Assembly Bill No. 503—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, and to provide work for laborers—recommend that it be referred to the Judiciary Committee.

Assembly Bill No. 550—An Act to open St. Charles Place, in the City and County of San Francisco, as a public thoroughfare—passage recommended.

Assembly Bill No. 530—An Act for the relief of Mathew Tomlinson—recommend that it do not pass.

FORTUNE, for Delegation

MOTIONS AND RESOLUTIONS

Mr. Gildea offered the following resolution.

Resolved, That the Committee on Corporations be authorized and empowered to send for persons and papers, in connection with the bill concerning telegraph charges

Adopted

INTRODUCTION OF BILLS

Bills were introduced as follows :

By Mr. Fortune—An Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco

Read first and second times and ordered on file

Also, an Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer of said city

Read first and second times and ordered on file

By Mr. Ryan—An Act supplementary to and amendatory of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the Acts amendatory of and supplementary thereto

Read first and second times and referred to the Judiciary Committee

By Mr. Finney—An Act to authorize the payment of certain claims against Redwood Township, in the County of San Mateo

Read first and second times and referred to the San Mateo delegation

By Mr. Blankenship—An Act to increase the number of Notaries Public in Monterey County

Read first and second times and ordered on the general file

By Mr. De Haven—An Act to confer additional powers upon the Board of Trustees of the Town of Eureka, in the County of Humboldt

Read first and second times and ordered on the general file

By Mr. G. R. B. Hayes—An Act in relation to libels

Read first and second times and referred to the Judiciary Committee

GENERAL FILE.

Assembly Bill No. 349—An Act to provide for the building of a bridge and roadway across the estuary of San Antonio, in the County of Alameda

Read a third time and passed; title approved

Assembly Bill No. 44—An Act concerning roads and highways in the County of Humboldt

Senate substitute adopted

Read a third time and passed; title approved.

Assembly Concurrent Resolution No. 10—Relative to establishing a mail route and Post-office.

Senate substitute adopted

Substitute for Senate Bill No. 63—An Act to amend an Act entitled an Act concerning divorces, passed March twenty fifth, eighteen hundred and fifty-one.

Read a third time and passed; title approved.

Senate Bill No. 204—An Act to protect the rights of married women in certain cases

Read a third time and passed; title approved

Senate Bill No. 394—An Act to fix the terms of the District Court of the First Judicial District of the State of California

Read a third time and passed; title approved

Senate Bill No. 229—An Act to provide for the settlement of statements on appeal and on motion to set aside reports of Commissioners in certain cases

Read a third time and passed; title approved

Senate Bill No. 83—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Mr. Naphtaly offered the following amendment: Add to the end of section two, "*provided*, that on the hearing of the motion to dismiss, on the ground that the action was not originally brought in the proper county, the Court shall not dismiss said action if there is reason to believe that an impartial trial cannot be had in the proper county, or when the convenience of witnesses or the ends of justice would be promoted by retaining the same in the county in which the action was brought"

Lost

Bill read a third time and passed; title approved

Senate Bill No. 238—An Act making appropriations for deficiencies in the appropriations for the twenty-first fiscal year.

Considered in Committee of the Whole

[Speaker in the chair]

IN ASSEMBLY.

Bill reported back without amendment and passage recommended

Read a third time and passed; title approved

Senate Bill No. 301 passed on the file.

Senate Bill No. 340—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide for the establishment, maintenance and protection of public and private roads.

Read a third time and passed; title approved.

Senate Bill No. 285—An Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six.

Read a third time and passed; title approved.

Senate Bill No. 144—An Act to authorize W. Vanderhurst et al. to construct a railroad from the City of Monterey to the Town of Salinas.

Read a third time and passed; title approved.

Senate Bill No. 269—An Act to prevent the kidnapping and importation of Mongolian, Chinese and Japanese females for criminal and demoralizing purposes.

Mr. Finney moved to pass the bill on the file

Lost.

Mr. Martin of Butte offered an amendment to section five.

Mr. Gildea moved to place the bill at the top of the file for Thursday, which motion prevailed.

REPORT.

Mr. G. R. B. Hayes, from the Committee on Engrossment, made the following report:

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 374—An Act to encourage iron mining

Also, Assembly Bill No. 551—An Act in relation to the county officers of the County of Sierra

G. R. B. HAYES, of Committee.

GENERAL FILE RESUMED.

On motion of Mr. Finney, Senate Bill No. 270 was ordered second on the file for Thursday next.

On motion of Mr. Rockwell, Assembly Bills Nos 160 and 13 were ordered third and fourth on the file for Thursday.

Senate Bill No 458 passed temporarily on file, and the Chief Clerk directed to insert an enacting clause.

Senate Concurrent Resolution No. 24—Relative to tax on distilleries

Read a third time and adopted

On motion of Mr. McMillan, Assembly Bill No. 372 was ordered fifth on the file for Thursday.

Senate Concurrent Resolution No. 19—Relative to a mail route from San Diego to Salt Lake

Read a third time and adopted

Senate Bill No 89—An Act supplementary to an Act entitled an Act concerning assessments upon the stock of corporations, approved March twenty-sixth, eighteen hundred and sixty-six.

Read a third time and passed ; title approved

Senate Bill No 159—An Act in relation to road indebtedness of Tuolumne County, incurred in the years eighteen hundred and sixty six and eighteen hundred and sixty-seven.

Read a third time and passed ; title approved

At half past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called

Quorum present.

GENERAL FILE RESUMED.

Senate Bill No. 323—An Act to provide for the liquidation of the floating indebtedness of the County of Santa Barbara and to repeal sections eight and eleven of an Act entitled an Act to fix the compensation of officers, to provide for funding the county debt of Santa Barbara County and prohibit the contracting of any new indebtedness against said county, approved April fourth, eighteen hundred and sixty-four

Amendments adopted

Read a third time and passed ; title approved

Senate Bill No. 314—An Act authorizing the Trustees of the San Francisco Lying-in Hospital and Foundling Asylum to take charge of, bind out and give away children coming under their care

Mr. Fortune offered an amendment to section one

Lost.

Read a third time and passed ; title approved

Mr. Lambert offered the following concurrent resolution :

Resolved by the Assembly, the Senate concurring, That the Secretary of State is hereby authorized and directed to cause to be printed, for the use of the Senate and Assembly, one thousand five hundred copies of Assembly Bill No 245, said bill known as the fee and salary bill ; and the Sergeant-at-Arms of the respective Houses are hereby directed to distribute the same, five hundred copies for the use of the Senate and one thousand copies for the use of the House.

Rules suspended and the resolution adopted.

Senate Bill No. 45

Indefinitely postponed

Senate Bill No 393—An Act to provide for the construction and maintenance of a wagon road in Lake County

Read a third time and passed; title approved.

[Mr. Haile in the chair]

SPECIAL ORDER

At two o'clock p m the House took up special order—Assembly Bill No 57—An Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary regulations for the City and County of San Francisco.

Amendments recommended by the committee adopted

Amended and amendments adopted

Mr. Fortune moved to amend section twenty-one by striking out the word "discretion."

Lost

Mr. G. R. B. Hayes moved to amend section twenty-one by inserting after the word "vaccinated" the words "but in cases of vessels arriving from Asiatic ports, all Mongolians on board said vessels shall be vaccinated: the fees for vaccination shall be ten dollars for each person so vaccinated, and the sums so collected shall go, one-half to the credit of the State Hospital and one-half to the Hospital Fund of the City and County of San Francisco"

Mr. Lewelling offered an amendment to the amendment, as follows: "In case any Mongolian shall not be able to pay such charge, then it shall become a charge against the State"

Lost.

Mr. Finney moved to place the bill sixth on the general file for Thursday

Lost

Mr. Mooney offered to amend the amendment by providing that the funds so collected go to the General School Fund

Lost

Mr. Fortune moved to amend by having the fees so paid go into the State Hospital Fund

Lost

Mr. G. R. B. Hayes moved to amend the amendment: "That all persons on board said vessels refusing to be vaccinated, or to pay the fee therefor, shall be detained at quarantine, on board said vessels, until they are vaccinated and pay the fee therefor."

Amendment adopted

Amendment, as amended, adopted

Mr. G. R. B. Hayes offered an amendment to section twenty-eight

Adopted

Rules suspended, bill considered engrossed and read a third time

On the the passage of the bill, the ayes and noes were demanded by Messrs. Finney, Murphy of Del Norte and McMillan, and it passed, by the following vote:

AYES—Messrs. Appling, Berry, Blankenship, Brown of Amador, Brown of Yuba, Crigler, Doss, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, Hawley, G. R. B. Hayes, M. Hayes.

Henley of Sonoma, Hudson, King, Martin of Siskiyou, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Oates, Odell, Fool, Rockwell, Romer, Ryan, Satterwhite, Scarce, Stephens, Walden and Mr. Speaker—43

NOES—Messrs Andrews, De Haven, Finney, Hihn, Johnson, Koutz, Lambert, Lewelling, Martin of Butte, Power, Sammons, Shores, Thurston, Waldron and York—15.

Title approved.

SENATE MESSAGES.

On motion of Mr Shores, the rules were suspended to take up the following Senate messages :

SENATE CHAMBER, }
March 7th, 1870. }

MR. SPEAKER : I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Senate Bill No 541—An Act to regulate fees of office and salaries of officers in Siskiyou County.

MARDIS,
Assistant Secretary.

SENATE CHAMBER, }
March 7th, 1870. }

MR. SPEAKER : I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Senate Bill No. 537—An Act concerning the State Normal School.

MARDIS,
Assistant Secretary

CONSIDERATION OF SENATE MESSAGES

Senate Bill No 546, above reported, read first and second times and referred to the Committee on Fees and Salaries, with instructions to report it back immediately

Senate Bill No 537, above reported, read first and second times and, by unanimous consent, read a third time and passed ; title approved

At four o'clock and forty-five minutes P. M., on motion of Mr Thurston, the House took a recess until seven o'clock P. M.

EVENING SESSION

At seven o'clock P. M. the House reassembled.

Speaker in the chair

Roll called.

Quorum present.

Mr Hihn, from the Committee on Fees and Salaries, by leave, made the following report :

MR. SPEAKER : The Committee on Fees and Salaries beg leave to report back Senate Bill No 546—An Act to regulate fees of office and salaries of officers in Siskiyou County—and recommend its passage.

Also, Assembly Bill No 271—An Act to divide the County of Colusa into assessment districts for the election of District Assessors, and to define their duties, liabilities and compensation—with amendments, and recommend its passage as amended.

HIHN, Chairman.

On motion of Mr Shores, the rules were suspended to take up Senate Bill No 546, above reported.

Mr Martin of Siskiyou moved to amend section sixteen by striking out "twelve hundred dollars," as the salary of the District Attorney, and to insert "eight hundred dollars"

Lost.

Rules suspended and, by unanimous consent, bill read a third time and passed; title approved

GENERAL FILE RESUMED.

Senate Bill No 73—An Act to amend an Act entitled an Act to more clearly define the boundaries of Sacramento, Placer and Sutter Counties.

Read a third time and passed; title approved.

Substitute for Senate Bill No 255—An Act to establish pilots and pilot regulations for the ports of San Francisco, Mare Island, Vallejo and Benicia.

Mr Fortune moved to refer the bill to the San Francisco delegation, to report the same to-morrow.

Lost.

Amended and amendment adopted

Read a third time

Mr. Gildea moved to make the bill the special order for Wednesday, at two o'clock P. M

Lost

Mr Miller of El Dorado moved the previous question.

Sustained

On the passage of the bill, the ayes and noes were demanded by Messrs. Gildea, Martin of Siskiyou and Moynihan, and the House refused to pass the same, by the following vote:

AYES—Messrs Andrews, Berry, Brown of Amador, Crigler, De Haven, Freeman, Gildea, Griswold, Haile, Henley of Mendocino, Hihu, Hudson, Kelley, Martin of Siskiyou, Miller of El Dorado, Moynihan, Munday, Naphtaly, Scarce, Shores, Slicer and Mr. Speaker—22

NOES—Messrs Appling, Brown of Yuba, Doss, Eichelroth, Fortune, Green, Hawley, G. R. B. Hayes, M. Hayes, King, Koutz, Lambert, Lewelling, Martin of Butte, Merritt, Mooney, Murphy of Del Norte and Klamath, Oates, O'Connell, Odell, Pool, Power, Rockwell, Romer, Ryan, Sammons, Satterwhite, Stephens, Walden, Waldron and York—31

Mr. Fortune gave notice that on to-morrow he would move to reconsider the vote just taken.

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, March 8th, 1870. }

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.
[Mr. Martin of Siskiyou in the chair.]

PETITION.

Mr. Gildea presented a petition from citizens of El Dorado County, praying a reduction of the rates of fares and freights on the Placerville and Sacramento Valley Railroad

Received and ordered to the table until bills relating to the same subject are taken up.

REPORTS OF STANDING COMMITTEES.

Mr. Naphtaly, from the Judiciary Committee, made the following report :

MR. SPEAKER : The Judiciary Committee, to whom was referred Assembly Bill No 536—An Act to establish a Municipal Court in the City and County of San Francisco, to be called the Municipal Criminal Court of the City and County of San Francisco—report that they have considered said bill and recommend its passage.

Also, Assembly Bill No 518—An Act to authorize the guardian of Walter Price, a minor, to sell the real estate of said minor—and recommend its passage.

Also, Assembly Bill No 523—An Act to provide a uniform system of ballots in this State—and recommend its passage.

Also, Assembly Bill No. 525—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons. passed May first, eighteen hundred and fifty-one—and recommend its passage.

NAPHTALY, Chairman.

On motion of Mr Gildea, the rules were suspended and Assembly Bill No 518, above reported, was taken up.

Rules further suspended, bill considered engrossed, read a third time and passed ; title approved.

REPORTS OF SPECIAL COMMITTEES.

Mr. McMurry of Trinity, from the Committee on Contingent Expenses, made the following report :

Mr. SPEAKER: Your Committee on Contingent Expenses, to whom was referred a resolution appointing Thomas Johnson, Porter of the Assembly, have had the same under consideration and report it back with a substitute, and recommend the passage of the substitute

MCMURRY (of Trinity), Chairman

The substitute was taken up, as follows:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to appoint a Porter

Adopted.

Mr Finney, from the San Mateo delegation, made the following report:

Mr. SPEAKER: The San Mateo delegation, to whom was referred Assembly Bill No. 565, beg leave to report the same back to the House and recommend its immediate passage.

FINNEY, for Delegation.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 7th, 1870.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved substitute for Assembly Bill No. 245—An Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto.

H. H. HAIGHT,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 7th, 1870.

To the Assembly of the State of California:

I herewith return to your honorable body, without approval, Assembly Bill No. 99—An Act to grant the right of way for a railroad track within the corporate limits of the City of Vallejo, in the County of Solano, to Edward McGettigan and Henry Connelly, their associates and assigns

Also, substitute for Assembly Bill No. 267—An Act to authorize W. W. Fowler, George J. Hooper, and their associates and assigns, to lay down gas pipes in the City of San Diego

The policy of conferring upon the local authorities the power of granting these special privileges, under general laws, properly guarded, has been so clearly approved by your honorable body, that it is unnecessary to add anything on the subject

H. H. HAIGHT,
Governor

Mr Gildea moved to make the Governor's message, returning without his approval Assembly Bill No. 267, also substitute for Assembly Bill No. 99, the special order for Friday, at two o'clock P. M.

Carried.

MOTIONS AND RESOLUTIONS.

Mr Gildea offered a resolution, proposing to divide the general file, and the creating of a special file, upon which all bills of a special character shall be placed, and considered during the evening sessions.

Laid over one day, under the rules.

On motion of Mr. Biggs, the special order, set for twelve o'clock M. to-day—being the consideration of Assembly Bill No. 370—was discharged, and the bill ordered to the head of the file for Friday next.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER,
March 5th, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on the fourth instant, passed, as amended, under suspension of the rules, Senate Bill No. 332—An Act to provide for paying certain claims against the City of Oakland, and to contract a funded debt for that purpose

Also passed, under suspension of the rules, as amended, Senate Bill No. 287—An Act to provide funds for the School Department of the City of Oakland.

Also passed, under suspension of the rules, as amended, Senate Bill No. 59—An Act to provide for the appointment of a Reporter of the Supreme Court, and to define his duties and compensation.

Also passed, under suspension of the rules, Senate Bill No. 309—An Act to authorize the Board of Supervisors of San Joaquin County to appropriate money for the use of the San Joaquin Valley Agricultural Society.

Also passed, under suspension of the rules, Senate Bill No. 412—An Act to authorize the Board of Trustees of Mountain View School District, Santa Clara County, State of California, to submit to the qualified voters of said district whether they will be taxed for the purpose of building a school house for said district and furnishing the same.

And this day passed, as amended, Assembly Bill No. 454—An Act concerning the office of Tax Collector in the Counties of Contra Costa and Santa Cruz.

Also, passed Assembly Bill No. 475—An Act to fix the fees of witnesses in criminal actions in San Bernardino County.

Also, passed Assembly Bill No. 306—An Act concerning the funded debt of San Bernardino County.

Also, passed Assembly Bill No. 212—An Act to amend section four of an Act entitled an Act to provide for the licensing of auctioneers, and to define their duties and liabilities, approved April eighteenth, eighteen hundred and fifty-nine.

ROBERTS,
Secretary.

SENATE CHAMBER,
March 8th, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on March fourth, passed Senate Bill No. 296—An Act to authorize the

Board of Supervisors of the City and County of San Francisco to permit the laying down of railroad tracks for grading purposes.

And, on March seventh, passed Senate Bill No. 352—An Act relating to Yreka School District, in Siskiyou County.

Also, Senate Bill No. 189—An Act for the relief of Robert M. Folger.

Also, Senate Bill No. 528—An Act to authorize a tax to be levied upon the taxable property of Red Bluff School District, Tehama County, for building purposes.

Also, Senate Bill No. 516—An Act to authorize the Board of Supervisors of San Joaquin County to issue a certain bond.

Also, Assembly Bill No. 543—An Act to amend an Act entitled an Act to amend an Act entitled an Act to organize and regulate townships in San Mateo County, etc.

Also, Assembly Bill No. 551—An Act in relation to the county officers of the County of Sierra.

Also, Assembly Bill No. 450—An Act concerning public roads and highways in the Counties of Santa Cruz and San Diego.

Also, Assembly Concurrent Resolution No. 19—Relative to a mail route from Moore's Flat to Graniteville.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 296, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 332, above reported, read first and second times and referred to the Alameda delegation.

Senate Bill No. 287, above reported, read first and second times and referred to the Alameda delegation.

Senate Bill No. 309, above reported, read first and second times and referred to the San Joaquin delegation.

Senate Bill No. 516, above reported, read first and second times and referred to the San Joaquin delegation.

Senate Bill No. 412, above reported, read first and second times and referred to the Santa Clara delegation.

Assembly Bill No. 454, above reported.

On motion of Mr. Naphtaly, the bill was ordered returned to the Senate, to have Senate amendments to the bill properly verified.

Senate Bill No. 59, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 189, above reported, read first and second times and referred to the Committee on Claims.

Senate Bill No. 528, above reported, read first and second times and referred to the Tehama delegation.

Senate Bill No. 352, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

REPORTS.

Mr. Blankenship, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill

No 510—An Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Also, substitute for Assembly Bill No. 336—An Act to legalize the acts and proceedings of the Mayor and Common Council of the City of Sonoma

Also, Assembly Bill No 533—An Act to authorize the Supervisors of Fresno County to transfer moneys from one fund to another.

Also, Assembly Bill No 288—An Act for the relief of John L Rigg, Tax Collector of Del Norte County.

Also, Assembly Bill No 467—An Act to prescribe the duties of certain officers in the County of Butte.

Also, Assembly Bill No. 512—An Act establishing a Commission for the revision of the laws.

BLANKENSHIP, for Committee.

Mr. Inman, from the Alameda delegation, by leave, made the following report :

MR SPEAKER : The Alameda delegation, to whom was referred Senate Bill No 476, have had said bill under consideration, report the same back and recommend its passage.

INMAN, for Delegation.

Mr Finney was excused for the remainder of the morning session.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Henley of Sonoma—An Act granting leave of absence to W. P. Overton, District Attorney of Sonoma County.

Read first and second times and ordered on the general file.

By Mr. Eichelroth—An Act for the relief of David B. Akey.

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

By Mr. Hihn—An Act to prevent gambling in public places.

Read first and second times and referred to the Committee on Public Morals.

By Mr. Lewelling—An Act to incorporate the Town of Brooklyn, Alameda County.

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

GENERAL FILE.

Assembly Bill No. 374—An Act to encourage iron mining.

Mr Gildea moved to recommit the bill to the Committee on Mines and Mining Interests, with special instructions to report the same immediately.

On which the ayes and noes were demanded by Messrs. Gildea, De Haven and Crigler, and the motion prevailed, by the following vote :

AYES—Messrs Appling, Berry, Blankenship, Crigler, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, Hawley, G. R. B Hayes, Inman, Kelley, Martin of Siskiyou, McMillan, McMurphy of Trinity, Miller of El Dorado, Moynihan, Munday, Murphy of Santa Clara, Naphtaly,

Oates, O'Connell, Pool, Rockwell, Romer, Ryan, Shoemaker, Shores, Stephens, Thomas, Thurston, Williams and Young—36.

NOES—Messrs. Andrews, Carothers, De Haven, Duffy, Eichelroth, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, Johnson, King, Koutz, Lambert, Lewelling, Martin of Butte, McClaskey, Mooney, Power, Robinson, Sammons, Satterwhite, Scarce, Walden, Waldron, York and Mr. Speaker—28.

Mr. Ryan, in accordance with a notice given by Mr. Fortune on yesterday, moved to reconsider the vote by which the House refused to pass substitute for Senate Bill No 255.

Mr. Rockwell moved to indefinitely postpone the motion to reconsider. At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker pro tem. in the chair

Roll called.

Quorum present.

Substitute for Senate Bill No 255 resumed.

Half-past two o'clock P. M. being the hour for the special order, Senate Bill No 449, Mr. Haile moved to temporarily postpone the special order, to conclude the consideration of the bill now before the House

Carried

Mr. Fortune moved the previous question

Sustained.

On the motion of Mr. Rockwell to indefinitely postpone the bill, the ayes and noes were demanded by Messrs. Miller of El Dorado, Haile and Crigler, and the House refused, by the following vote :

AYES—Messrs. Blankenship, Brown of Yuba, De Haven, Duffy, Eichelroth, Finney, Green, Hawley, G. R. B. Hayes, Horan, Johnson, King, Koutz, Lambert, Lewelling, Martin of Butte, McClaskey, McMillan, Merritt, Mooney, Murphy of Del Norte and Klamath, Oates, O'Connell, Power, Robinson, Rockwell, Romer, Ryan, Sammons, Satterwhite, Stephens, Waldron, Williams and York—34

NOES—Messrs. Andrews, Appling, Berry, Biggs, Carothers, Crigler, Doss, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, Henley of Mendocino, Henley of Sonoma, Hihn, Hudson, Inman, Kelley, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Odell, Pool, Scarce, Shoemaker, Shores, Slicer, Thomas, Walden, Young and Mr. Speaker—36

On the motion to reconsider the vote whereby the House refused to pass the bill on yesterday, the ayes and noes were demanded by Messrs. Doss, Crigler, and Martin of Siskiyou, and the motion prevailed, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Biggs, Carothers, Crigler, Doss, Duffy, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, Inman, Kelley, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Odell, Pool, Robinson, Scarce, Shoemaker, Shores, Slicer, Thomas, Walden, Young and Mr. Speaker—39.

NOES—Messrs. Blankenship, Brown of Yuba, Calderwood, De Haven, Eichelroth, Green, Hawley, G. R. B. Hayes, Horan, Johnson, King, Koutz, Lambert, Lewelling, Martin of Butte, McClaskey, McMillan, Merritt, Mooney, Murphy of Del Norte and Klamath, Oates, O'Connell, Power, Rockwell, Romer, Ryan, Sammons, Satterwhite, Stephens, Waldron, Williams and York—32.

[Speaker in the chair.]

Mr. Slicer moved the previous question.

Lost

Mr. McMillan offered the following amendment: Amend section ten by striking out all after the word "Board," in fourth line from bottom of page on which the section commences

Mr. Rockwell offered the following amendment: Amend section seven by striking out all after "Benicia," in third line from top of page five

Mr. Lambert moved the previous question.

Sustained

On the amendment to section seven, the ayes and noes were demanded by Messrs Satterwhite, McMillan and Walden, and it was lost, by the following vote:

AYES—Messrs Blankenship, Brown of Yuba, Calderwood, Eichelroth, Gildea, Green, Hawley, G. R. B. Hayes, M. Hayes, Horan, Johnson, King, Lambert, Martin of Butte, McClaskey, McMillan, Merritt, Mooney, Murphy of Del Norte and Klamath, Naphtaly, Newell, Oates, O'Connell, Odell, Power, Rockwell, Romer, Ryan, Sammons, Satterwhite, Stephens, Waldron, Williams and York—34.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Carothers, Crigler, Doss, Duffy, Fortune, Freeman, Fryer, Griswold, Haile, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, Inman, Kelley, Koutz, Lewelling, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Moynihan, Munday, Pool, Scarce, Shoemaker, Shores, Slicer, Thomas, Walden, Young and Mr. Speaker—36.

The amendment to section ten of the bill was lost.

On the passage of the bill, the ayes and noes were demanded by Messrs Moynihan, Romer and Haile, and it passed, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Biggs, Carothers, Crigler, De Haven, Doss, Duffy, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, Inman, Johnson, Kelley, Martin of Siskiyou, McMillan, McMurry of Trinity, Miller of El Dorado, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Newell, Odell, Pool, Scarce, Shoemaker, Shores, Slicer, Thomas, Walden, Young and Mr. Speaker—42.

NOES—Messrs Blankenship, Brown of Yuba, Calderwood, Eichelroth, Green, Hawley, G. R. B. Hayes, M. Hayes, Horan, King, Koutz, Lambert, Lewelling, Martin of Butte, McClaskey, Merritt, Mooney, Murphy of Del Norte and Klamath, Oates, O'Connell, Power, Rockwell, Romer, Ryan, Sammons, Satterwhite, Stephens, Waldron, Williams and York—30

On motion of Mr. Lambert, the special order set for half-past two o'clock and postponed, was discharged, and the bill ordered to the top of the general file for to-morrow.

At four o'clock and twenty-seven minutes P. M., on motion of Mr. Haile, the House took a recess until seven o'clock P. M.

EVENING SESSION.

At seven o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

No quorum.

Mr. Odell moved a call of the House.

Carried

When the following members were found absent without excuse :

Messrs. Appling, Biggs, Blankenship, Brown of Amador, Coronel, Crigler, De Haven, Doss, Eichelroth, Finney, Fortune, Freeman, Gildea, Green, Griswold, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Inman, Johnson, Kelley, Lambert, Martin of Butte, McMillan, McMurry of Trinity, Mooney, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Newell Oates, Pool, Robinson, Rockwell, Romer, Sammons, Stephens, Thomas, Thurston, Walden, Williams and Young.

Mr. McClaskey moved that Mr. Inman be allowed to appear and offer his excuse for being absent.

Mr. Horan made the same motion in regard to Mr. Biggs.

The motions prevailed and the members appeared before the bar of the House and offered their excuses, which were accepted.

Mr. Biggs offered an excuse for Mr. Martin of Butte, which was accepted.

Mr. Munday moved to dispense with the further proceedings under the call of the House.

Lost.

On motion of Mr. Berry, Mr. Eichelroth was allowed to appear and give his excuse, which was agreed to, and the member offered his excuse, which was accepted.

On motion of Mr. Ryan, further proceedings under the call of the House were dispensed with.

The Committee on Ways and Means, and Mr. Crigler, were granted leave of absence for the evening session.

GENERAL FILE RESUMED.

Senate Bill No. 301—An Act to divide the State into congressional districts and fix the time to elect Representatives to Congress.

[Mr. McMurry of Trinity in the chair.]

Mr. Gildea moved to make the bill the special order for Friday, at two o'clock P. M.

On which the ayes and noes were demanded by Messrs. Gildea, Murphy of Del Norte, and Pool, and the House refused, by the following vote :

AYES—Messrs. Andrews, Appling, Calderwood, Gildea, Hawley, Hudson, King, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of Trinity, Miller of El Dorado, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Newell, O'Connell, Odell, Pool, Rockwell, Shores, Slicer, Stephens and Walden—25.

NOES—Messrs. Berry, Biggs, Blankenship, Carothers, Crigler, De Haven, Doss, Duffy, Eichelroth, Escandon, Fryer, Green, Haile, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Inman, Koutz, Lewelling, McClaskey, Naphtaly, Power, Satterwhite, Scarce, Shoemaker, Waldron, York and Young—30.

Mr. Gildea moved to make the bill the special order for Saturday, at two o'clock P. M., and accepted an amendment to order it second on the general file for to-morrow.

Mr. Satterwhite moved the previous question.

Lost.

The motion to place the bill second on the file prevailed.

At eight o'clock and thirty-five minutes P. M. Mr. Blankenship moved to adjourn.

Lost

Mr. Doss was excused for the remainder of the day.

Senate Bill No. 458—An Act entitled an Act to amend an Act entitled an Act to amend an Act entitled an Act concerning roads and highways in the Counties of Mariposa and Tulare, approved January seventeenth, eighteen hundred and sixty-six.

Read a third time and passed; title approved

Senate Bill No. 10—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read a third time and passed; title approved.

[Speaker pro tem. in the chair.]

Senate Bill No. 300

Referred to the Sacramento delegation.

Senate Bill No. 56—An Act to authorize Harriet Wilkins, administratrix of the estate of Henry Wilkins, deceased, to sell the real and personal estate of said deceased.

Read a third time and passed; title approved.

Senate Bill No. 280—An Act amendatory of and supplementary to an Act entitled an Act to authorize the Judges of the Supreme Court to employ a Secretary, approved April twenty-third, eighteen hundred and fifty-eight

Considered in Committee of the Whole.

[Speaker pro tem. in the chair]

IN ASSEMBLY.

Bill reported back with amendments, and passage recommended as amended

On the amendment to strike out "two hundred and fifty dollars," in section one, and inserting "two hundred dollars," the ayes and noes were demanded by Messrs. Murphy of Santa Clara, Eichelroth, and Martin of Siskiyou, and it was adopted, by the following vote:

AYES—Messrs. Appling, Berry, Brown of Yuba, Carothers, Crigler, Duffy, Eichelroth, Fryer, Gildea, Haile, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, Inman, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, Miller of El Dorado, Munday, Murphy of Del Norte and Klamath, O'Connell, Odell, Pool,

Power, Robinson, Satterwhite, Scarce, Shores, Slicer, Stephens, Walden, Waldron, York and Mr. Speaker—38.

NOES—Messrs. Andrews, Calderwood, De Haven, Griswold, Hawley, Horan, Johnson, King, Koutz, McMurry of Trinity, Moynihan, Murphy of Santa Clara, Naphtaly, Newell, Rockwell, Shoemaker and Young—18.

Read a third time and passed ; title approved.

At nine o'clock and thirty minutes P. M., on motion of Mr. Haile, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, March 9th, 1870. }

House met pursuant to adjournment

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

[Mr. Murphy of Santa Clara in the chair.]

Mr. G. R. B. Hayes was granted leave of absence for four days, and Mr. Kelley for one day.

REPORT OF STANDING COMMITTEE.

Mr. Eichelroth, from the Committee on State Hospitals, made the following report :

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 205—An Act creating a Branch Insane Asylum of California—beg leave to report the same back.

EICHELROTH, Chairman

REPORT OF SPECIAL COMMITTEE.

Mr. Hubner, from the San Joaquin delegation, made the following report :

MR. SPEAKER: The San Joaquin delegation, to whom was referred Senate Bill No. 309—An Act to authorize the Board of Supervisors of San Joaquin County to appropriate money for the use of the San Joaquin Valley Agricultural Society—recommend its passage

Also, Senate Bill No. 516—An Act to authorize the Board of Supervisors of San Joaquin County to issue a certain bond—recommend its passage.

HUBNER, for Delegation

GOVERNOR'S MESSAGE.

A message was received from his Excellency the Governor, returning without his approval Assembly Bill No 152—An Act for the relief of Patrick Creighton, James Brennan and Patrick Donohue.

[For message, see Appendix.]

The question being, "Shall the bill pass, notwithstanding the objections of the Governor?" the roll was called, and the bill so passed, by the following vote:

AYES—Messrs. Appling, Calderwood, Crigler, De Haven, Doss, Duffy, Eichelroth, Escandon, Finney, Fortune, Gildea, Green, Griswold, Hawley, M. Hayes, Henley of Mendocino, Horan, Hudson, Inman, Johnson, King, Lambert, Lewelling, McClaskey, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Power, Robinson, Rockwell, Romer, Ryan, Sammons, Scarce, Shoemaker, Shores, Stephens, Thomas, Thurston, Waldron, Williams, York, Young and Mr. Speaker—54

NOES—Messrs. Andrews, Biggs, Brown of Amador, Carothers, Haile, Hihn, Koutz, Martin of Butte, Martin of Siskiyou, Miller of Marin and Slicer—11.

MOTIONS AND RESOLUTIONS.

The following resolution, offered by Mr. Gildea, on yesterday, was taken up:

Resolved, That the Chief Clerk of the House be directed, on and after the tenth day of March, eighteen hundred and seventy, to separate all bills on the file of a public character from those which are special; and that those of a special character be printed separately from general bills; and that those of a general nature be headed "General Bills," and those of a special nature "Special Bills;" and that the House, at each evening session, shall consider only such special bills; and that during the day sessions, the House consider only general bills, until the general file be disposed of, and then consider special bills.

Resolved. That during evening sessions no resolutions or motions, or business of any kind, except for a call of the House or to adjourn, be considered or entertained, except such special bills; and at such times no member shall speak more than five minutes upon any one bill. All bills providing for paying money into or taking money from the State treasury shall be considered general bills, and nothing herein contained shall deprive the House from considering bills out of their order.

Amended to read as above by inserting "tenth of March," and adopted as amended

Mr. Ryan offered a resolution, as follows:

Resolved, That the Committee on Investigation be and they are hereby required to meet daily, and are hereby instructed to make diligent inquiry and report to this House what breaches of the privileges of this House have been made, and by whom; and that the proceedings of said committee be public, and that they be authorized to employ a stenographic reporter if they see fit.

On motion of Mr. McMurry of Trinity, amended, and that portion of the resolution making the proceedings public was stricken out.

Mr. Haile moved to lay the resolution on the table

On which the ayes and noes were demanded by Messrs. Andrews, McMurry of Trinity and Haile, and the House refused, by the following vote:

AYES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Crigler, Doss, Eichelroth, Escandon, Fortune, Haile, Hawley, Hudson, Johnson, King, Lambert, Martin of Butte, McClaskey, McMillan, Murphy of Del Norte and Klamath, Odell, Pool, Robinson, Romer, Satterwhite, Shores, Stephens, Thomas, Thurston, Walden and Williams—30

NOES—Messrs. Andrews, Berry, Calderwood, Carothers, De Haven, Duffy, Finney, Green, M. Hayes, Hihn, Hubner, Inman, Koutz, Lewelling, Martin of Siskiyou, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Munday, Murphy of Santa Clara, O'Connell, Rockwell, Ryan, Sammons, Scarce, Shoemaker, Slicer, Waldron, Young and Mr. Speaker—32.

Mr. Berry moved that the Committee on Investigation have indefinite leave of absence granted them, to enable them to comply with the requirements of the resolution

Mr. Martin of Butte moved to indefinitely postpone the resolution.

When Messrs. De Haven, Ryan and Shores demanded the ayes and noes, and the House refused, by the following vote:

AYES—Messrs. Appling, Blankenship, Brown of Amador, Doss, Escandon, Haile, Hawley, Henley of Sonoma, Hudson, Johnson, King, Martin of Butte, McClaskey, Robinson, Romer, Satterwhite, Thurston and Williams—18.

NOES—Messrs. Andrews, Berry, Biggs, Calderwood, Carothers, De Haven, Duffy, Eichelroth, Fortune, Fryer, Gildea, Griswold, M. Hayes, Horan, Inman, Koutz, Lambert, Martin of Siskiyou, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, O'Connell, Pool, Rockwell, Ryan, Sammons, Scarce, Shoemaker, Shores, Slicer, Stephens, Waldron, York, Young and Mr. Speaker—42.

Mr. Andrews moved to amend the resolution by striking out that part in relation to authorizing the committee to employ a stenographic reporter if they see fit.

Adopted.

Mr. M. Hayes asked and obtained leave to change his vote from aye to no, on the motion to lay the resolution on the table.

Mr. Henley of Sonoma offered the following as a substitute:

Resolved, That the present Committee of Investigation be discharged, and the following gentlemen be appointed as a committee instead: Messrs. Ryan, Berry, McMurry of Trinity, G. R. B. Hayes and Andrews.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

REPORTS.

Mr. Blankenship, from the Committee on Engrossment, made the following report :

MR. SPEAKER : Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 445—An Act concerning roads and highways in the County of Sutter.

Also, Assembly Bill No. 378—An Act to amend an Act entitled an Act to redistrict the County of Los Angeles, and to provide for the election of Supervisors, approved March twenty-eighth, eighteen hundred and sixty-eight

Also, substitute for Assembly Bills Nos. 29 and 39—An Act to establish a Board of Police Commissioners for the City and County of San Francisco, and to define their powers and duties.

BLANKENSHIP, for Committee.

Mr. Finney, from the Committee on Engrossment, made the following report :

MR. SPEAKER : Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 57—An Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary regulations for the City and County of San Francisco.

Also, Assembly Bill No. 518—An Act to authorize the guardian of Walter Price, a minor, to sell the real estate of said minor.

FINNEY, for Committee.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

MR. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Concurrent Resolution No. 38—Requesting his Excellency the Governor to take steps towards forwarding a certain silk flag of California manufacture to the National Capital

Also, Assembly Bill No. 126—An Act to authorize the Waucoma Water Company to construct aqueducts over certain lands therein named and to lay down water pipes in the public streets of the City of San Diego and Town of South San Diego

Also, substitute for Assembly Bill No. 91—An Act to incorporate the Town of San Juan

Also, Assembly Bill No. 292—An Act to authorize the Trustees of the City of Benicia to re-fund the debt of said city.

Also, Assembly Bill No. 320—An Act to provide for the building of a

bridge across Putah Creek, in Napa County, and to authorize the Supervisors of Napa County to levy a special tax for that purpose

Also, Assembly Bill No. 358—An Act to authorize the Mayor and Common Council of the City of Marysville to close up Virgin alley, between Seventh and Eighth streets

Also, Assembly Bill No. 346—An Act to grant further powers to the Board of Trustees of the City of San Diego, and establish the boundaries of said city.

Also, Assembly Bill No. 148—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco and upon the Auditor and Treasurer thereof

Also, Assembly Bill No. 121—An Act to amend an Act entitled an Act to protect sheep and lambs in this State

Also, Assembly Bill No. 153—An Act relating to the Board of Education of the City and County of San Francisco, and more particularly defining its powers and duties.

Also, Assembly Bill No. 243—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto.

Also, Assembly Bill No. 233—An Act to fix the terms of the County Court and Probate Court of the County of Monterey.

Also, Assembly Bill No. 20—An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library, and to secure the use of the same to the Courts held at San Francisco, the bar, the city and county government and the people of the City and County of San Francisco.

Also, Assembly Concurrent Resolution No. 10—Relating to establishing a mail route and Post-offices

Also, Assembly Bill No. 475—An Act to fix the fees of witnesses in criminal actions in San Bernardino County.

Also, substitute for Assembly Bill No. 3—An Act authorizing the laying down of a railroad track in certain of the streets of the City and County of San Francisco for grading purposes

Also, Assembly Bill No. 51—An Act for the relief of the San Francisco Cadets

Also, Assembly Concurrent Resolution No. 42—For the establishment of a mail route in Santa Clara County.

Also, Assembly Bill No. 306—An Act concerning the funded debt of San Bernardino County.

Also, Assembly Bill No. 262—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco and upon the Auditor and Treasurer thereof, and authorize certain appropriations by said Board.

And this day, at one o'clock and fifteen minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

MOTIONS AND RESOLUTIONS.

Mr. Henley of Sonoma, by leave, withdrew his substitute for the resolution of Mr. Ryan, and Mr. Ryan was allowed to withdraw his resolution from the further consideration of the House

Mr. Rockwell offered the following :

Resolved, That the Special Investigating Committee be granted indefinite leave of absence, in order to perform committee duty.

Adopted.

Mr Scarce offered the following resolution :

Resolved, That Messrs. Ryan, Slicer, Biggs and Inman be added to the Committee of Investigation.

Laid on the table, on motion of Mr. Biggs.

Mr. Merritt offered the following resolution :

Resolved, That the Committee on Public Buildings and Grounds be and they are hereby directed to make inquiry into and report to this House as to what disposition has been made of the funds, stock, furniture and other effects formerly attached to and belonging to the late State Reform School, and also to recommend what disposition shall be made of the building and its effects

Mr Gildea offered an amendment, that the committee be authorized to send for persons and papers and to swear witnesses, in pursuing such investigation.

Lost.

Mr. Lambert offered the following amendment : " That the Secretary of State be and he is hereby requested to inform this House as to what disposition has been made of the funds, stock, furniture or other effects formerly attached to and belonging to the late State Reform School."

Lost.

Mr. Hihn offered the following :

Resolved, That the Committee on Public Buildings and Grounds be instructed to report a bill providing that the Secretary of State shall take charge and dispose of the property in question.

Adopted.

The resolution as amended was adopted.

Mr Thurston submitted the following :

SACRAMENTO, March 9th, 1870.

To the Speaker of the Assembly :

I hereby tender to the Assembly my resignation as a member of the committee to investigate the charges of bribery touching members of the Assembly, and ask that the same be accepted I will state that I am now on four standing committees of this body, and my whole time is fully occupied with the business of such committees.

J. S. THURSTON.

The resignation was accepted.

On motion of Mr Robinson, Assembly Bill No. 232 was ordered on file, and Assembly Bills Nos 201, 266 and 345, were placed on the file, to resume the positions they formally had

Mr Haile moved that all the bills of a similar character be ordered to the file, to take the positions they had before being made special orders.

The Speaker appointed Mr. Haile to fill the vacancy in the Committee of Investigation, caused by the resignation of Mr. Thurston.

Mr Biggs verbally tendered his resignation as Chairman of the Committee on Public Buildings and Grounds.

Mr. Blankenship moved the previous question.

Sustained.

When the House declined to accept the resignation of Mr. Biggs.

Mr. Lewelling was allowed to withdraw a remonstrance presented on yesterday and referred to the Committee on Corporations.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER,
March 8th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, passed, under the suspension of the rules, Senate Bill No. 399—An Act to amend an Act to provide for paying certain equitable claims against the State of California, and to contract a funded debt for that purpose

Also, under suspension of the rules, passed Senate Bill No. 527—An Act to authorize the County of Sacramento to issue bonds to raise money for Court-house and jail purposes.

Also, under suspension of the rules, passed Senate Bill No. 400—An Act to amend an Act entitled an Act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for payment of the same, and to levy a tax to pay such bonds, approved April fourth, eighteen hundred and sixty-four.

Also, under suspension of the rules, passed Senate Bill No. 320—An Act for the relief of Mary Likens and others

And, on this day, passed Assembly Bill No. 371—An Act concerning Notaries Public in the County of San Joaquin

Also, passed under suspension of the rules, Assembly Bill No. 349—An Act to provide for the building of a bridge and roadway across the estuary of San Antonio, in the County of Alameda.

And adopted Assembly Concurrent Resolution No. 42—Relative to establishing a mail route in Santa Clara County.

I am also directed to return to the Assembly, Assembly Bill No. 454, verified and corrected as requested.

ROBERTS,
Secretary.

SENATE CHAMBER,
March 9th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed substitute for Senate Bill No. 252—An Act to protect litigants

And, on yesterday, Senate Bill No. 542—An Act relating to the care and custody of minor children in certain cases.

And, on this day, adopted Assembly Concurrent Resolution No. 44—Relative to printing additional copies of the report of the State Agricultural Society.

Also, adopted Assembly Concurrent Resolution No. 45—Relative to printing fee and salary bill.

ROBERTS,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No 320, above reported, read first and second times and ordered on file.

Senate Bill No. 399, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Bill No 400, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Bill No 527, above reported, read first and second times and referred to the Sacramento delegation.

Senate Bill No. 542, above reported, read first and second times and referred to the Judiciary Committee

Substitute for Senate Bill No 252, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No 454, above reported, Senate amendments concurred in

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr Satterwhite—An Act to encourage tin mining.

Read first and second times and placed on the general file, and ordered printed

By Mr Duffy—An Act concerning the State Printer.

Read first and second times and referred to the Committee on Printing

By Mr. Fortune—An Act to provide for the creation of the Thirteenth Ward of the City and County of San Francisco

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

Also, an Act to authorize certain parties to introduce water into the City and County of San Francisco

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

By Mr. Lambert—An Act to authorize the Treasurer of Lassen County to pay to William Williams a certain sum of money adjudged to be due him for erecting the county buildings of said county.

Read first and second times and ordered on general file

By Mr. Berry—An Act concerning estrays in the County of Sutter.

Read first and second times and ordered on general file

By Mr Miller of Marin—An Act to authorize Thomas Brady and John McDermott, their associates and assigns, to lay down gas pipes in the Town of San Rafael

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

By Mr Hubner—An Act to pay for services for the State, in determining the character of certain lands in San Joaquin County, claimed by the State as swamp and overflowed lands.

Read first and second times and referred to the Committee on Claims

By Mr. Naphtaly—An Act to grant to certain persons the right of way for a railroad track within the corporate limits of the City and County of San Francisco, and to run horse cars thereon.

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

By Mr Horan—An Act to provide for the payment of certain demands audited against the Copying Fund of the Assembly in the year eighteen hundred and sixty-one

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

By Mr Henley of Sonoma—An Act for the encouragement of agriculture and the development of pork raising

Read first and second times and referred to the Committee on Agriculture

By Mr Rogers—An Act to provide for the erection of a city hall in the City and County of San Francisco.

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

The Speaker, by request presented a petition in-reference to the incorporation of the Town of Brooklyn, in Alameda County.

Received and referred to the Committee on Corporations

GENERAL FILE.

Senate Bill No 149—An Act concerning the Insane Asylum of the State of California

Assembly amendments to the bill read

Mr Mooney moved the previous question.

Sustained

On the amendment to section one of the bill, the ayes and noes were demanded by Messrs Eichelroth, Berry and Satterwhite, and the amendment was adopted, by the following vote:

AYES—Messrs Appling, Blankenship, Brown of Amador, Brown of Yuba, Crigler, Doss, Escandon, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, Merritt, Miller of El Dorado, Miller of Marin, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Robinson, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Thurston, Walden and Young—50.

NOES—Messrs Andrews, Berry, Biggs, Calderwood, Carothers, De Haven, Duffy, Eichelroth, Finney, Haile, Hubner, Inman, Johnson, Koutz, McMurry of Trinity, Mooney, Power, Ryan, Sammons, Waldron and York—21

Amendments to sections two and three adopted.

On the amendment to section eight, the ayes and noes were demanded by Messrs. Duffy, Andrews and Waldron, and it was adopted, by the following vote:

AYES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Doss, Escandon, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, Hawley, M. Hayes, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Thurston, Walden and Young—50

NOES—Messrs Andrews, Berry, Calderwood, Carothers, Crigler, De Haven, Duffy, Eichelroth, Finney, Inman, Johnson, Koutz, Mooney, Newell, Power, Sammons, Waldron, York and Mr. Speaker—19.

Mr. Eichelroth was excused for the remainder of the day.

Amendment to section sixteen of the bill adopted.

Bill read a third time.

On its passage, the ayes and noes were demanded by Messrs Duffy, Calderwood and Finney, and it passed, by the following vote :

AYES—Messrs Appling, Blankenship, Brown of Amador, Brown of Yuba, Crigler, Doss, Duffy, Escandon, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Thurston, Walden and Young—53

NOES—Messrs. Andrews, Berry, Biggs, Calderwood, Carothers, De Haven, Finney, Inman, Johnson, Koutz, Power, Ryan, Sammons, Waldron, Williams, York and Mr Speaker—17.

Title approved.

Mr. Duffy gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

Senate Bill No. 301—An Act to divide the State into congressional districts, and fix the time to elect Representatives to Congress.

Mr. Haile offered a substitute for the bill

Mr Gildea moved that the bill and substitute be ordered to the top of the general file.

So ordered.

Assembly Bill No 496—An Act in relation to the office of Tax Collector in the County of Monterey.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 439—An Act amending the first section of an Act entitled an Act extending the time for the payment of a debt of ten thousand dollars due from Alpine County to Amador County, approved February twenty-ninth, eighteen hundred and sixty-eight.

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

The Committee on Corporations were granted leave of absence for the remainder of the day

Assembly Bill No. 512—An Act establishing a Commission for the revision of the laws.

Mr. Biggs moved to recommit the bill to the Judiciary Committee, with special instructions.

Lost

Read a third time and passed ; title approved.

Assembly Bill No 565—An Act to authorize the payment of certain claims against Redwood Township, in the County of San Mateo.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Biggs, by leave, submitted a minority report from the Committee on Public Lands, in reference to Assembly Bill No. 370.

[For report, see Appendix.]

The report was ordered printed.

On motion of Mr. Johnson, the rules were suspended to take up Assembly Bill No. 432—An Act for the relief of L. P. Hall and Samuel J. Garrison.

Mr. Haile moved to make the bill the special order for to-morrow, at two o'clock P. M.

Lost

Mr. Haile moved to indefinitely postpone the bill.

Lost

Mr. Gildea moved the previous question.

Sustained.

On the engrossment of the bill, the ayes and noes were demanded by Messrs. Haile, Doss and York, and it was ordered engrossed, by the following vote:

AYES—Messrs. Appling, Biggs, Escandon, Freeman, Gildea, Griswold, Henley of Sonoma, Horan, Hudson, Johnson, King, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, Merritt, Miller of El Dorado, Mooney, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Romer, Satterwhite, Scarce, Shores, Walden, Williams, Young and Mr. Speaker—32.

NOES—Messrs. Andrews, Berry, Brown of Amador, Carothers, De Haven, Doss, Duffy, Fortune, Fryer, Haile, Hihn, Hubner, Inman, Koutz, McMurry of Trinity, Miller of Marin, Munday, Power, Sammons, Shoemaker, Stephens, Thomas, Waldron and York—24.

Mr. Gildea moved to suspend the rules, to take up Assembly Bill No. 265, and order the same third on the file for to-morrow.

Mr. Stephens offered an amendment, to include Assembly Bills Nos. 251 and 434, said bills to take their order after Bill No. 265 on the file for to-morrow.

Mr. Murphy of Santa Clara offered a substitute, that the bills be considered at half-past seven o'clock this evening

The Committee on Counties and County Boundaries and also the Committee on Claims were excused for the remainder of the day, to attend to committee duty

At four o'clock and fifty-five minutes P. M. Mr. Mooney moved to adjourn.

Lost.

On the question of suspending the rules to take up the bills out of their order, the ayes and noes were demanded by Messrs. Power, Biggs and Gildea, and the House refused, by the following vote, not two-thirds voting in the affirmative:

AYES—Messrs. Andrews, Appling, Berry, De Haven, Fortune, Freeman, Gildea, Green, Haile, M. Hayes, Hudson, Johnson, Koutz, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Newell, O'Connell, Pool, Power, Ryan, Sammons, Shores, Slicer, Stephens, York and Mr. Speaker—31.

NOES—Messrs Biggs, Blankenship, Brown of Amador, Carothers, Doss, Duffy, Escandon, Fryer, Henley of Sonoma, Inman, King, Martin of Butte, McClaskey, McMillan, Merritt, Mooney, Naphtaly, Oates, Romer, Satterwhite, Scarce, Walden, Waldron, Williams and Young—25.

At five o'clock P. M., on motion of Mr. Inman, the House took a recess until seven o'clock P. M.

EVENING SESSION.

At seven o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present

Messrs Lewelling and Koutz, also the San Francisco delegation, were granted leave of absence for the evening session.

GENERAL FILE RESUMED.

Assembly Bill No 412—An Act entitled an Act to authorize the Mayor and Common Council of the City of Stockton, in the County of San Joaquin, to donate one hundred thousand dollars to the Stockton and Copperopolis Railroad Company and to provide for the payment of the same, and other matters relating thereto.

Mr. Hubner offered a substitute for section one.

Adopted

Amendments adopted.

Mr. Slicer offered an amendment, by adding a section, as follows: "Section 15. This Act shall be rendered null and void by the employment of Mongolians or Chinese in building said road, and proof of such employment shall be a complete defence to any action or proceeding against the Mayor and Common Council of the City of Stockton for the enforcement of any subsidy or aid granted by said city."

Lost.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Stephens, for the Sacramento delegation, by leave, verbally reported back Senate Bill No 527, recommending that the bill be returned to the Senate to have a clerical error corrected

So ordered.

[Mr. Martin of Siskiyou in the chair.]

Senate Bill No. 185—An Act to provide for the reclamation of swamp, salt marsh, tide and other overflowed lands.

Mr. Berry, by leave, submitted a report, signed by himself and Mr. Scarce, setting forth objections to the bill.

[For report, see Appendix.]

On motion of Mr. Andrews, the report was ordered printed.

Mr. Biggs moved that the bill be ordered to the head of the general file for Tuesday next.

Mr. Haile moved to amend, and that the bill be ordered to the file for to-morrow.

Lost.

When the motion of Mr. Biggs was agreed to

Mr. Hubner moved to suspend the rules, to take up Assembly Bill No. 256.

Lost.

Senate Concurrent Resolution No. 35—Relative to granting leave of absence to Sidney Waite, of San Bernardino County.

Read a third time and passed; title approved.

Senate Bill No. 303—An Act to equalize the rates of fare of the City Railroad Company with certain other street railroad companies in the City and County of San Francisco.

Read a third time and passed; title approved.

Senate Bill No. 476—An Act to prevent the destruction of fish and game in, upon and around the waters of Lake Merritt or Peralta, in the County of Alameda

Read a third time and passed; title approved.

Senate Bill No. 240 passed on the file.

At eight o'clock P. M., on motion of Mr. Inman, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
Thursday, March 10th, 1870 }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Griswold was granted leave of absence for one day

PETITIONS.

Mr. Finney presented several petitions from residents of this State, praying for an amendment of section one, article second, of the Constitution of this State, as shall secure to the women of this commonwealth the right of suffrage

On motion of Mr. Finney, the Speaker was authorized to appoint a committee of five to consider the subject of the above petitions.

The Speaker subsequently appointed Messrs. Finney, Lewelling, Williams, Power and De Haven, members of said committee

Mr. Naphtaly presented a petition from importers, manufacturers and jobbers in wines and liquors, protesting against the passage of a law authorizing the appointment of a State Gauger and Weigher of Wines and Liquors

Received and temporarily laid on the table, to be taken up with bill in regard to same subject.

REPORTS OF STANDING COMMITTEES.

Mr. King, from the Committee on Corporations, made the following report:

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 575—An Act to confer additional powers upon the Board of Trustees of Suisun City and for other purposes—have had the same under consideration, and report it back, recommending its passage.

Also, Assembly Bill No. 431—An Act to authorize the construction of gas works and lay down gas pipes in the City of Oakland, County of Alameda—and report it back, recommending its passage.

Also, Assembly Bill No. 568—An Act to incorporate the Town of Brooklyn, in Alameda County—and report it back, recommending its passage.

Also, Assembly Bill No. 299—An Act amendatory of and supplemental to an Act entitled an Act relating to fire and marine insurance companies, approved April second, eighteen hundred and sixty-six—and report it back, recommending its passage.

Also, Assembly Bill No. 464—An Act to authorize the County of Marin to donate bonds to a railroad company and to provide for the payment of the same—report it back, without recommendation.

KING, Chairman.

MR. NAPHTALY, from the Judiciary Committee, made the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 555—An Act in relation to State aid for internal improvements—beg leave to report the said bill back, without recommendation.

They have also considered Senate Bill No. 172—An Act to amend an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three—and recommend its passage.

They have also considered Assembly Bill No. 410—An Act to provide for the payment of the State's portion of the salary of the County Auditor in the County of Mariposa—and recommend its reference to the Committee of Ways and Means.

NAPHTALY, Chairman.

MR. EICHELROTH, Chairman of the State Hospital Committee, reported back Senate Bill No. 101, recommending its passage.

[For report, see Appendix.]

On motion, the report was ordered printed.

MR. MERRITT, from the Committee on Counties and County Boundaries, made the following report:

MR. SPEAKER: The Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 442—An Act to create the County of Ventura, to establish the boundaries and to provide for its organization—respectfully report that they have had the said bill under consideration, and herewith report the same back, with amendments, and recommend its passage as amended.

MERRITT, Chairman.

MR. HORAN, from the Committee on Claims, made the following report:

MR. SPEAKER: The undersigned, members of the Committee on Claims, to whom was referred Assembly Bill No. 484—An Act for the relief of

James Travers—have had the same under consideration, and find that said James Travers and one Tompkins went on a bond as sureties for one Lopez, who had been arrested for an assault with intent to do bodily harm; that said Lopez, fearing to appear for trial, ran away, and when the case was called in Court he was not to be found; that the District Attorney commenced suit against the sureties, and judgment was rendered against them, which they paid. Subsequently, Lopez was arrested and brought into Court, and tried by a jury of twelve men for the offence at which trial he was confronted by the prosecutor and all the witnesses for the prosecution, and was acquitted. We know that the claim is not a legal claim, but it is an equitable claim, and in our opinion should be paid. If it was a legal claim, there would not be any necessity for Travers to come to the Legislature for relief, as he would have his remedy in a Court of justice; but it being an equitable claim, the Legislature is the only place that he can go to for relief in the matter. Those are the facts, as presented to the committee, and we recommend the passage of the bill.

HORAN, Chairman.
DOSS,
POOL,
MOYNIHAN.

Mr. Newell, from the Committee on Roads and Highways, made the following report:

MR SPEAKER: The Committee on Roads and Highways, to whom was referred Assembly Bill No. 481—An Act concerning roads and highways in the County of Marin—have had the same under consideration and respectfully report it back and recommend its passage

NEWELL, Chairman

Mr. Brown of Amador, from the Committee on Elections, made the following report:

MR SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 511—An Act for the election of a Board of Supervisors in the counties of this State and to fix their term of office—have had the same under consideration, and beg leave to report it back, with the recommendation that it do not pass.

BROWN (of Amador), Chairman.

Mr. Horan, from the Committee on Claims, made the following report:

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 422—An Act for the relief of S. A. Boutwell, G. W. Hancock, W. G. Brown, C. W. Clark and Fred Cox—have had the same under consideration, and, from the evidence before your committee, they are unable to determine as to the merits or equity of the same; therefore, we respectfully report said bill back without recommendation.

Also, Senate Bill No. 358—An Act for the relief of Will S. Green—respectfully report the same back and recommend that it do not pass

HORAN, Chairman.

Mr. Blankenship make a verbal minority report in reference to Assembly Bill No. 422, above reported, stating that according to the evidence before the committee he felt it his duty to report in favor of the indefinite postponement of the bill.

REPORTS OF SPECIAL COMMITTEES.

Mr. Ryan, from the San Francisco delegation, made the following report :

MR SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 532—An Act granting to certain persons therein named the right to build and maintain a railroad track in the City and County of San Francisco, and the Counties of San Mateo and Santa Cruz, and to empower said city and county, and said counties, to aid in the construction of said road—have had the same under consideration, together with delegations from San Mateo and Santa Cruz, who hereby report the same back and recommend that it be placed on file.

They have also had under consideration Assembly Bill No. 465—An Act to provide for a street railroad in the City and County of San Francisco—and report the same back and recommend its passage as amended.

Also, Assembly Bill No. 178—An Act to ratify and confirm a certain ordinance of the City and County of San Francisco, and proceedings thereunder—and recommend the passage of the same

Also, Assembly Bill No. 367—An Act for the supply of pure water from Lake Bigler to the inhabitants of the City and County of San Francisco—and report the same back with substitute, and recommend the passage of the substitute

RYAN, Chairman

Mr. Rockwell, from the Committee on Commerce and Navigation, made the following report :

MR SPEAKER: Your Committee on Commerce and Navigation have considered Assembly Bill No. 548—An Act to authorize the Saucelito Land and Ferry Company to establish and maintain a public ferry between Marin County and the City and County of San Francisco—and report the same back, with the recommendation that it do pass.

ROCKWELL, Chairman

Mr. Scarce made the following report :

MR SPEAKER: Your committee to whom was referred Senate Bill No. 528, have had it under consideration, and recommend its passage.

SCARCE, for Delegation.

Mr. Lewelling, from the Alameda delegation, made the following report :

MR. SPEAKER: The Alameda delegation, to whom was referred Senate Bills Nos. 287 and 332, have had said bills under consideration, report them back and recommend their passage.

LEWELLING, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. McMillan offered a concurrent resolution in reference to instructing our Senators and requesting our Representatives in Congress to use their influence to have constructed by the United States Government at some point on this coast a first class vessel of war

Mr Finney offered the following resolution :

Resolved, That this chamber be and is hereby given for the use of the Special Committee on Woman's Suffrage, to be occupied by said committee on Friday evening, the eighteenth instant

Adopted.

Mr. Eichelroth offered a resolution authorizing the Chief Clerk to employ an Assistant Clerk, and moved a suspension of the rules to consider the resolution at once.

Lost, on a division.

When the resolution was referred to the Committee on Contingent Expenses.

Mr. Fortune moved to suspend the rules, to take up Assembly Bill No 555, to consider the same.

Lost.

Mr. Martin of Butte moved to suspend the rules, to take up Assembly Bill No. 472 for consideration.

Lost.

Mr. Duffy, by leave, withdrew his notice of a motion to reconsider the vote passing Senate Bill No. 149, on yesterday.

SENATE MESSAGES

The following messages were received from the Senate :

SENATE CHAMBER, }
March 9th, 1870. }

• Mr. SPEAKER. I am directed to inform the Assembly that the Senate, on yesterday, passed Senate Bill No. 545—An Act authorizing the Board of Supervisors of San Mateo County to allow, and the County Treasurer to pay, a certain claim of Charles Carvalho, for interpreting

Also, passed Senate Bill No. 540—An Act to provide for the redemption of the outstanding warrants of Amador County, and to prevent a further increase of the indebtedness of said county.

Also, passed Senate Bill No. 543—An Act authorizing the sale of certain legal tender notes

And, on this day, adopted and passed a substitute for Assembly Bill No. 429—An Act granting a street railroad franchise in the City and County of Sacramento.

Also, passed Assembly Bill No 159—An Act to encourage the production and sale of pure and wholesome milk, and to punish the production and sale of unwholesome and adulterated milk.

Also, passed Assembly Bill No. 213—An Act amendatory of an Act entitled an Act supplementary to an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba and Santa Clara, approved May seventeenth, eighteen hundred and sixty-one.

And indefinitely postponed Assembly Bill No 129—An Act to repeal an Act entitled an Act supplementary to an Act to prevent the trespassing of animals upon private property, approved March thirty first, eighteen hundred and fifty-five.

And amended and passed Assembly Bill No 330—An Act entitled an Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, approved April twentieth, eighteen hundred and sixty.

And indefinitely postponed Assembly Bill No 273—An Act to authorize the construction of a turnpike road from the Town of Truckee to Hot Springs and State line

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
March 10th, 1870 }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, refused to concur in Assembly amendments to Senate Concurrent Resolution No. 6—Relative to mineral lands—and I am directed to return the same to the Assembly and to respectfully request your honorable body to recede from said amendments or substitute

I am also directed to inform the Assembly that the Senate, on March fourth, under suspension of the rules, passed Senate Bill No. 244—An Act to empower the City and County of San Francisco and Counties of Monterey and San Luis Obispo to aid in the construction of the Southern Pacific Railroad, and other purposes

Also, on March eighth, under suspension of the rules, passed Senate Bill No 243—An Act to empower the Counties of Stanislaus, Merced, Fresno, Tulare and Kern to aid in the construction of a railroad in said counties.

CURTIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 543, above reported, read first and second times and referred to the Committee on Ways and Means.

Assembly Bill No 330, above reported, Senate amendments concurred in

Assembly Bill No. 429, with Senate substitute, above reported, referred to the Sacramento delegation.

Senate Bill No 540, above reported, read first and second times and referred to the Alpine and Amador delegations

SPECIAL ORDER.

At eleven o'clock A. M. the House took up special order, Assembly Bill No 514—An Act for the location of the State Normal School of California

Mr. Satterwhite moved that the special order be discharged, and the bill be temporarily laid on the table.

Carried.

CONSIDERATION OF SENATE MESSAGES RESUMED.

Senate Bill No 243, above reported, read first and second times and referred to the Railroad Committee.

Senate Bill No. 244, above reported, read first and second times and referred to the Railroad Committee

Senate Bill No. 545, above reported, read first and second times and ordered on file

Senate Concurrent Resolution No. 6, above reported.

The House refused to recede from its amendment, and the Speaker appointed, as a Committee of Conference on the part of the House, Messrs. Andrews, McMurry of Trinity and Brown of Amador

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Munday—An Act entitled an Act in relation to roads and highways in the County of Sonoma, to provide for the election of one Commissioner of Roads and Highways and prescribe his duties, and repeal all other Acts so far as they conflict with the provisions thereof.

Read first and second times and ordered on the file

By Mr. Hibn—An Act supplementary to an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six.

Read first and second times and ordered on the file.

By Mr. Carothers—An Act to provide for the removal of the Danville District School House, in Contra Costa County

Read first and second times and ordered on the file

By Mr. Rockwell—An Act to repeal an Act entitled an Act to organize and regulate the Justices' Court of the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and sixty-six, and to reorganize and regulate the Justices' Courts in said City and County of San Francisco.

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

REPORT.

Mr. Naphtaly, from the Judiciary Committee, by leave, made the following report:

Mr. SPEAKER: In accordance with instructions of the Assembly, the Judiciary Committee reports back Assembly Bill No. 372—An Act for the protection of white labor in the State of California.

NAPHTALY, Chairman.

GENERAL FILE.

Senate Bill No. 269—An Act to prevent the kidnapping and importation of Mongolian, Chinese and Japanese females, for criminal and demoralizing purposes.

Amended and amendments adopted

Read a third time and passed; title approved.

[Mr. Horan in the chair.]

Senate Bill No. 270—An Act to prevent the importation of Chinese criminals and to prevent the establishment of coolie slavery—was under consideration when, on motion of Mr. Duffy, the following Senate message was taken up:

SENATE MESSAGE.

SENATE CHAMBER,
March 10th, 1870. }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on this day, corrected an error made by the Engrossing Clerk of the Senate, in Senate Bill No. 527—An Act to authorize the County of Sacramento to issue bonds to raise money for Court-house and jail purposes.

CURTIS,
Assistant Secretary.

Senate Bill No. 527, above reported, referred to the Sacramento delegation.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

GENERAL FILE RESUMED.

Senate Bill No 270 continued

Mr Blankenship moved the previous question.

Sustained

Bill read a third time

On the passage of the bill, the ayes and noes were demanded by Messrs Haile, Crigler, and Murphy of Del Norte, and it passed, by the following vote:

AYES—Messrs Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Crigler, Doss, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Inman, Johnson, Kelley, King, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Ryan, Satterwhite, Scarce, Shores, Slicer, Stephens, Thomas, Thurston and Mr Speaker—59.

NOES—Messrs. De Haven, Duffy, Finney, Koutz, Power, Sammons, Waldron and Williams—8.

Title approved

SENATE MESSAGES.

On motion of Mr. Slicer, the rules were suspended to take up the following Senate messages:

SENATE CHAMBER,
March 10th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, adopted Senate Concurrent Resolution No. 30—Relative to the erection of a breakwater.

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
March 10th, 1870. }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, passed, under suspension of the rules, Senate Bill No. 453—An Act to empower the County of San Joaquin to aid in the construction of the Stockton and Visalia Railroad.

Also passed, under suspension of the rules, Senate Bill No. 328—An Act to empower the City of Stockton to aid in the construction of the Stockton and Visalia Railroad.

Also passed, under suspension of the rules, Senate Bill No 535—An Act to enable the Counties of Mendocino, Humboldt, Klamath and Del Norte, to issue bonds to aid in the construction of a telegraph line through said counties.

Also, Senate Concurrent Resolution No 38—Relative to joint convention on State Normal School.

Also, Senate Bill No 209—An Act supplementary to an Act prescribing certain conditions for the transaction of insurance business in the State of California.

Also, Assembly Bill No 293—An Act to provide for the payment of deficiency in the State Insane Asylum.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES

Substitute for Senate Bills Nos 328 and 453, above reported, read first and second times.

Mr Blankenship moved to refer Senate Bill No 328 to the Railroad Committee.

Lost.

When the bills were referred to the San Joaquin delegation.

Senate Concurrent Resolution No 38, above reported, concurred in. Substitute for Senate Bill No 200, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No 535, above reported, read first and second times and ordered on file.

Senate Concurrent Resolution No 30, above reported, read first and second times and referred to the Committee on Federal Relations.

Mr. Henley of Mendocino, by leave offered the following resolution:

Resolved, That the Governor be requested to return to this House Assembly Bill No 70, for the purpose of correcting an error.

Adopted.

GENERAL FILE RESUMED.

Assembly Bill No 160—An Act to protect the people of California from the evils of Asiatic immigration.

Mr Rockwell offered a substitute for section one, as follows:

“Three competent persons shall be chosen, in the manner hereinafter provided, as State Police Commissioners, whose term of office and whose powers and duties shall be as prescribed in this Act.”

Mr. Gildea moved the previous question.

On which the ayes and noes were demanded by Messrs. Finney, Duffy and Gildea, and the main question was ordered, by the following vote :

AYES—Messrs. Andrews, Berry, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, De Haven, Eichelroth, Freeman, Gildea, Griswold, Hawley, Henley of Sonoma, Hubner, Hudson, Johnson, Kelley, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Odell, Sammons, Scarce, Shores, Slicer, Thurston, Walden, Waldron, Young and Mr. Speaker—37.

NOES—Messrs. Doss, Duffy, Finney, King, Koutz, Lambert, Martin of Butte, O'Connell, Rockwell, Ryan, Williams and York—12.

The amendment was lost

Bill ordered engrossed

Mr. Miller of El Dorado moved that the rules be suspended, the bill considered engrossed and placed on its third reading and passage.

Mr. Murphy of Del Norte moved the previous question

On which the ayes and noes were demanded by Messrs. Lambert, McMillan and Moynihan, and the main question was ordered, by the following vote :

AYES—Messrs. Andrews, Berry, Brown of Amador, Brown of Yuba, Calderwood, Doss, Eichelroth, Escandon, Fortune, Freeman, Fryer, Hawley, Henley of Sonoma, Hubner, Johnson, Kelley, King, McClaskey, McMillan, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Oates, O'Connell, Odell, Power, Rockwell, Ryan, Sammons, Satterwhite, Scarce, Shores, Slicer, Stephens, Thurston, Walden, Young and Mr. Speaker—42.

NOES—Messrs. Duffy, Finney, Gildea, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, Waldron, Williams and York—10.

Read a third time

On the passage of the bill the ayes and noes were demanded by Messrs. Finney, McMillan and Moynihan, and it passed, by the following vote :

AYES—Messrs. Andrews, Berry, Brown of Amador, Doss, Duffy, Eichelroth, Escandon, Fortune, Freeman, Gildea, Hawley, M. Hayes, Henley of Sonoma, Inman, Johnson, Kelley, King, Lambert, Martin of Siskiyou, McMillan, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Oates, O'Connell, Odell, Rockwell, Romer, Ryan, Satterwhite, Scarce, Shores, Slicer, Stephens, Thurston, Walden, Young and Mr. Speaker—42.

NOES—Messrs. Biggs, Brown of Yuba, Calderwood, De Haven, Finney, Hahn, Hubner, Koutz, McClaskey, Power, Sammons, Waldron, Williams and York—14

Title approved

Mr. McMurry of Trinity was granted leave of absence until to-morrow
Assembly Bill No. 13—An Act to establish and maintain a police force for the protection and regulation of the Asiatic and Mongolian residents of this State, and to prevent coolie slavery in California.

Substitute offered by Mr. Duffy read.

Mr. Duffy offered an amendment

Mr. Biggs moved a call of the House.

Lost

Mr. Rockwell moved the previous question.

Sustained.

The amendment to the substitute was lost.

On adopting the substitute for the bill, the ayes and noes were demanded by Messrs Andrews, Murphy of Del Norte and Duffy, and the House refused, by the following vote:

AYES—Messrs. Calderwood, Carothers, Duffy, Finney, Koutz, Power, Sammons, Shores, Waldron, Williams and York—11

NOES—Messrs Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Crigler, Doss, Eichelroth, Escandon, Freeman, Gildea, Griswold, Haile, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, Inman, Kelley, King, Lambert, Martin of Butte, Martin of Siskiyou, McMillan, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Newell, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Scarce, Slicer, Stephens, Thomas, Thurston, Walden, Young and Mr. Speaker—53

The original bill was amended by adopting all the amendments recommended by the committee to the various sections of the bill.

On the engrossment of the bill the ayes and noes were demanded by Messrs Andrews, Murphy of Del Norte and Duffy, and the House refused to engross the bill by the following vote:

AYES—Messrs. Berry, Brown of Yuba, Escandon, Fortune, Freeman, Fryer, Griswold, M. Hayes, Inman, Johnson, Kelley, McMillan, Murphy of Del Norte and Klamath, Newell, Oates, O'Connell, Odell, Rockwell, Romer, Ryan, Slicer, Stephens, Thomas, Williams and Mr. Speaker—25

NOES—Messrs Andrews, Appling, Biggs, Brown of Amador, Calderwood, Carothers, Crigler, Duffy, Finney, Green, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, King, Koutz, Martin of Siskiyou, McClaskey, Miller of Marin, Munday, Naphtaly, Pool, Power, Robinson, Sammons, Scarce, Shores, Walden, Waldron, York and Young—34.

[Speaker pro tem. in the chair.]

Mr. Andrews moved to suspend the rules, to take up Assembly Bill No. 555.

Mr. Haile offered an amendment, that the bill be considered in connection with Assembly Bill No 372.

Amendment accepted, and adopted as amended.

Assembly Bill No. 372—An Act for the protection of white labor in California

Mr. McMillan offered an amendment to section one.

Adopted

Mr. McMillan moved to suspend the rules, to place Assembly Bill No 372 on its final passage.

Lost.

On motion of Mr. Haile, the bills under consideration were ordered to the top of the file for to-morrow.

At five o'clock and ten minutes P. M., on motion of Mr. Haile, the House took a recess until seven o'clock P. M.

EVENING SESSION.

At seven o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

REPORT.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

MR. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled substitute for Assembly Bill No. 44—An Act concerning roads and highways in the County of Humboldt.

Also, substitute for Assembly Bill No. 76—An Act entitled an Act to incorporate the City of Gilroy.

And this day, at eleven o'clock A. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

SPECIAL FILE. •

Substitute for Senate Bill No. 145.

Passed on file.

Senate Bill No. 240.

Passed on file

Senate Bill No. 319.

Passed on file.

Senate Bill No. 509—An Act to authorize the Board of Supervisors of San Joaquin County to appropriate money for the use of the San Joaquin Agricultural Society.

Read a third time and passed; title approved

Senate Bill No. 320—An Act for the relief of Mary Likens.

Read a third time and passed; title approved.

Senate Bill No. 516—An Act to authorize the Board of Supervisors of San Joaquin County to issue a certain bond.

Read a third time and passed; title approved.

At seven o'clock and twenty minutes P. M., on motion of Mr. Duffy, the House took a recess for ten minutes.

REASSEMBLED.

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

Speaker in the chair.

Roll called.

Quorum present.

The Clerk was directed to inform the Senate that the Assembly was ready to receive Senators in joint convention.

JOINT CONVENTION

To select a site for the permanent location of the State Normal School.

At seven o'clock and thirty minutes P. M. the Assembly received the Senators in joint convention

The convention was called to order by the President of the Senate, in conjunction with the Speaker of the House.

The rolls of the Senate and Assembly were called.

Quorums of both Houses present

The President of the Senate directed the concurrent resolution authorizing a joint convention, to be read.

Mr. Larkin offered the following order of business:

First—Presentation of propositions by counties desiring the location.

Second—Voting for counties.

Adopted.

On motion, the report of the joint committee was read.

PROPOSITIONS FOR LOCATION

Mr. Pendegast nominated Napa City, Napa County.

Mr. Carothers nominated Martinez, Contra Costa County.

Mr. Murphy of Santa Clara nominated San José, Santa Clara County.

Mr. Naphtaly nominated San Francisco.

Mr. Tompkins nominated Oakland, Alameda County.

Mr. Munday nominated Petaluma, Sonoma County.

Nominations closed.

On motion of Mr. Mandeville, the convention proceeded to ballot, with the following result:

| | |
|---------------------------------|-----|
| Whole number of votes cast..... | 104 |
| Necessary to a choice..... | 53 |

No choice.

Rolls again called

| | |
|---------------------------------|-----|
| Whole number of votes cast..... | 103 |
| Necessary to a choice..... | 52 |

No choice.

At ten o'clock and twenty minutes P. M. Mr. Mooney moved to adjourn

Lost.

The rolls were again called.

| | |
|----------------------------------|----|
| Whole number of votes cast | 99 |
| Necessary to a choice..... | 50 |

No choice.

At ten o'clock and thirty-five minutes P. M. Mr. Horan moved to adjourn

Ayes and noes demanded

Lost.

The rolls were again called.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 94 |
| Necessary to a choice..... | 48 |

No choice.

At ten o'clock and fifty-five minutes P. M. Mr. Pendegast moved to adjourn.

Ayes and noes demanded.

Lost.

The rolls were again called.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 89 |
| Necessary to a choice..... | 45 |
| San José received..... | 47 |
| Napa City received..... | 89 |
| San Francisco received..... | 3 |

Whereupon the President of the Senate announced that San José, Santa Clara County, having received a majority of all the votes cast—a majority of the members of both Houses being present and voting—was the choice of the convention for the site for the location of the State Normal School.

Minutes of the joint convention read and approved.

At eleven o'clock and eighteen minutes P. M., on motion, the joint convention adjourned.

HOUSE REASSEMBLED.

Speaker in the chair.

Roll called.

Quorum present.

At eleven o'clock and twenty minutes P. M., on motion of Mr. Andrews, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, March 11th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Rev. Mr. Gober.

Journal of yesterday read and approved.

The Tulare, Fresno and Merced delegations were granted leave of absence, to attend to committee duty.

REPORTS OF STANDING COMMITTEES.

Mr. Naphtaly, from the Judiciary Committee, made the following report:

Mr. SPEAKER : The Judiciary Committee, to whom was referred Assembly Bill No. 400—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State—report that they have considered said bill and recommend its passage.

They have also considered Assembly Bill No. 347—An Act to ratify and confirm ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco, and proceedings had thereunder—and recommend its passage.

They have also considered Assembly Bill No. 352—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one—and recommend its passage.

They have also considered Assembly Bill No. 379—An Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State, passed May seventeenth, eighteen hundred and sixty-one—and recommend its passage.

Your committee also recommend the passage of the following bills :

Senate Bill No. 151—An Act to authorize the guardians of James T. Boyd, Jr., and Willie Alexander Boyd, to sell certain real estate.

Also, Senate Bill No. 542—An Act relating to the care and custody of minor children in certain cases.

Also, substitute for Senate Bill No. 200—An Act supplementary to an Act entitled an Act prescribing certain conditions for the transaction of insurance business in the State of California, approved March twenty-sixth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 221—An Act providing for the adoption of minors and the legitimizing of children born out of wedlock.

Also, Senate Bill No. 186—An Act to extend an Act entitled an Act concerning District Court Reporters, approved March thirteenth, eighteen hundred and sixty-six, to the Seventeenth Judicial District of the State of California.

The majority of the committee have also instructed me to report back substitute for Senate Bill No. 252—An Act to protect litigants—with the recommendation that it pass.

And the said committee recommend that Assembly Bill No. 290—Amendment to the Constitution—be indefinitely postponed, and that the author have leave to withdraw Assembly Bill No. 246—An Act authorizing the testimony of husband and wife in action for divorce, for the reason that a bill similar in its provisions has already passed both branches of the Legislature.

NAPHTALY, Chairman.

Mr. McClaskey, from the Committee on Swamp and Overflowed Lands, made the following report :

Mr. SPEAKER : Your committee, to whom was referred Assembly Bill No. 476—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight—have had the same under consideration, respectfully report the same back, and recommend the passage of the bill.

They have also had under consideration Assembly Bill No. 328—An Act providing for the drainage and reclamation of certain lands and for navigation between certain places—respectfully report the bill back and recommend that it do not pass.

Also, Assembly Bill No. 505—An Act supplementary to an Act entitled

an Act to provide for the management and sale of the lands belonging to the State—beg leave to report the same back and recommend the passage of the bill.

McCLASKEY, Chairman.

Mr. Merritt, from the Committee on Counties and County Boundaries, made the following report :

Mr. SPEAKER: The Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 438—An Act to locate the county seat for the County of Stanislaus—respectfully report that they have had the said bill under consideration and herewith report the same back with amendments, and recommend its passage as amended

MERRITT, Chairman.

Mr. Biggs, from the Committee on Public Buildings and Grounds, made the following report concerning the University grounds :

Mr. SPEAKER: Your Committee on Public Buildings and Grounds beg leave to make the following report: We visited the grounds, which are situated about five miles north of Oakland and contains about two hundred and forty acres of land, beautifully located. Said grounds are well supplied with never failing copious springs and other valuable water rights. Outside of the grounds of the University tract, a supply of pure water, ample for all the wants of the University, can be obtained. The grounds are being laid off with numerous walks and avenues; drives have been constructed, a large quantity of evergreen and ornamental trees have been set out and seem to be growing finely. All of which is respectfully submitted.

BIGGS, for Committee.

Mr Biggs also made a report, from the Committee on Public Buildings and Grounds, in reference to the condition of the Deaf and Dumb Asylum and grounds, in the vicinity of Oakland, which they had visited, recommending that all work at said institution be done by the day instead of being let out at contract, and closing with the expression that they found the grounds and buildings to be in good condition and everything kept in good order

[For report, see Appendix.]

Mr. King, from the Committee on Corporations, made the following report :

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 578—An Act to authorize Thomas Brady, John McDermot, and their assigns, to lay down gas pipes in the Town of San Rafael—have considered the same and report the bill back, recommending its passage.

KING, Chairman.

Mr. Newell, from the Committee on Engrossment, made the following report :

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 432—An Act for the relief of Lovick P. Hall and Samuel J. Garrison.

Also, Assembly Bill No. 439—An Act amending the first section of an Act entitled an Act extending the time for the payment of a debt of ten thousand dollars due from Alpine County to Amador County, approved February twenty-ninth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 496—An Act in relation to the office of Tax Collector in the County of Monterey

Also, Assembly Bill No 565—An Act to authorize the payment of certain claims against Redwood Township, in the County of San Mateo

NEWELL, Chairman.

Mr. Kelley, from the Committee on Agriculture, made the following report :

Mr. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 401—An Act to amend the Act of March twenty-sixth, eighteen hundred and sixty-six, entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property—have had the bill under consideration, and beg leave to report the same back and recommend it be referred to the Sacramento delegation.

KELLEY, Chairman

REPORTS OF SPECIAL COMMITTEES.

Mr. Hubner, from the San Joaquin delegation, made the following report :

Mr. SPEAKER: The San Joaquin delegation, to whom was referred Senate Bill No. 328—An Act to empower the City of Stockton to aid in the construction of the Stockton and Visalia Railroad; also, Senate Bill No 453—An Act to empower the County of San Joaquin to aid in the construction of the Stockton and Visalia Railroad—have had the same under consideration and recommend their passage.

HUBNER,
THURSTON, Delegation.

Mr. Brown of Amador made the following report :

Mr. SPEAKER: The delegation from Amador and Alpine, to whom was referred Senate Bill No. 540—An Act to provide for the redemption of the outstanding warrants of Amador County and to prevent a further increase of the indebtedness of said county—have had the same under consideration, report it back and recommend its passage.

BROWN (of Amador), for Delegation.

GOVERNOR'S MESSAGE.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 10th, 1870. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved substitute for Assembly Bill No. 81—An Act to confirm a certain order passed by

the Board of Supervisors of the City and County of San Francisco, and to authorize said Board to appropriate money for certain purposes

Also, Assembly Bill No. 306—An Act concerning the funded debt of San Bernardino County.

Also, Assembly Bill No. 475—An Act to fix the fees of witnesses in criminal actions in San Bernardino County

Also, Assembly Bill No. 233—An Act to fix the terms of the County Court and Probate Court of the County of Monterey.

Also, Assembly Bill No. 292—An Act to authorize the Trustees of the City of Benicia to re-fund the debt of said city.

Also, Assembly Bill No. 51—An Act for the relief of the San Francisco Cadets

Also, Assembly Bill No. 243—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplemental thereto

Also, Assembly Bill No. 121—An Act to amend an Act entitled an Act to protect sheep and lambs in this State, approved May eighteenth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 320—An Act to provide for the building of a bridge across Putah Creek, in Napa County, and to authorize the Supervisors of Napa County to levy a special tax for that purpose

Also, Assembly Bill No. 358—An Act to authorize the Mayor and Common Council of the City of Marysville to close up Virgin alley, between Seventh and Eighth streets

Also, Assembly Bill No. 262—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco and upon the Auditor and Treasurer thereof, and to authorize appropriations by said Board.

Also, Assembly Bill No. 148—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco and upon the Auditor and Treasurer thereof.

Also, Assembly Bill No. 153—An Act entitled an Act relating to the Board of Education of the City and County of San Francisco, and more particularly defining its powers and duties

Also, Assembly Bill No. 25—An Act to pay certain outstanding indebtedness of the County of Mono, incurred prior to the segregation of said county by virtue of the Act of the State of California to provide for surveying and establishing the eastern boundary of this State, approved April twenty seventh, A. D. eighteen hundred and sixty-three.

H. H. HAIGHT,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Lowelling moved to recommit Senate Bill No. 287 to the Alameda delegation.

Carried.

Mr. Robinson offered a concurrent resolution in reference to Indians in San Diego County.

Read first and second times and referred to the Committee on Federal Relations.

Mr. Haile offered a resolution, as follows :

Resolved, That the motions to refer bills or resolutions to committees be decided without debate.

Adopted.

Mr. Martin of Butte offered a joint resolution, granting leave of absence to A. Maurice, Jr., District Attorney of Butte County.

Read first and second times and, by unanimous consent, read a third time and passed; title approved.

Mr. Martin of Butte moved to suspend the rules, to take up Assembly Bill No. 442—An Act to create the County of Ventura, to establish its boundaries and to provide for its organization.

Carried.

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

INTRODUCTION OF BILLS

Bills were introduced as follows :

By Mr. Lambert—An Act concerning roads and highways in the County of Lassen.

Read first and second times and ordered on the general file.

By Mr. Berry—An Act to provide for the protection of lands in the County of Sutter from overflow.

Read first and second times and ordered on the general file.

By Mr. Merritt—An Act to authorize the Governor and Attorney-General of the State of California to donate and execute a deed for the buildings and grounds formerly known as the State Reform School.

Read first and second times and referred to the Committee on Public Buildings and Grounds.

By Mr. McMurphy of Trinity—An Act to amend an Act entitled an Act to amend sections six and thirteen of an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity, approved March twenty-eighth, eighteen hundred and sixty-three, approved March twenty-fifth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Roads and Highways.

Also, an Act to legalize and confirm the survey and location of the Weaverville and Shasta Wagon Road.

Read first and second times and referred to the Committee on Roads and Highways.

By Mr. Horan—An Act to amend an Act entitled an Act to create and organize the University of California, approved March twenty-third, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Public Buildings and Grounds

By Mr. Pool—An Act for the preservation of forest timber in the State of California.

Read first and second times and referred to the Committee on Public Buildings and Grounds.

Also, an Act to incorporate the Town of Hornitos.

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

By Mr. Satterwhite—An Act to regulate interest on money.

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

GENERAL FILE.

On motion of Mr. Rockwell, Senate Bill No. 240 was recommitted to the San Francisco delegation.

Mr. Johnson moved to suspend the rules to take up Assembly Bill No. 432—An Act for the relief of Lovick P. Hall and Samuel J. Garrison, to consider the same.

Read a third time and passed; title approved.

Assembly Bill No. 372—An Act for the protection of white labor in California.

Mr. McMillan offered an amendment to section one.

On motion of Mr. Hubner, the bill was temporarily laid on the table, to take up Assembly Bill No. 555—An Act in relation to State aid for internal improvements.

Mr. Inman gave notice that, on to-morrow, he would move to reconsider the vote by which Assembly Bill No. 432 passed.

The rules were suspended and Assembly Bill No. 555 was considered engrossed and read a third time.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

GENERAL FILE RESUMED.

Assembly Bill No. 555 continued.

Mr. Murphy of Del Norte moved the previous question.

Sustained

On the passage of the bill, the ayes and noes were demanded by Messrs Fortune, Moynihan and Finney, and it passed, by the following vote:

AYES—Messrs. Andrews, Berry, Biggs, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Green, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Inman, Kelley, Martin of Siskiyou, McClaskey, McMillan, McMurphy of Trinity, Merritt, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Pool, Scarce, Shoemaker, Slicer, Stephens, Thomas, Thurston and Mr Speaker—39.

NOES—Messrs Carothers, De Haven, Duffy, Finney, Hihn, Hubner, Koutz, Lewelling, Power, Robinson, Romer, Sammons, Satterwhite, Waldron, Williams and York—17.

Title approved.

Mr. Munday was granted indefinite leave of absence.

SENATE MESSAGES.

On motion of Mr. Horan, the rule were suspended in order to take up the following Senate messages:

SENATE CHAMBER,
March 11th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, adopted the following resolution:

Resolved, That the Assembly be requested to return to the Senate substitute for Assembly Bill No 429, for the purpose of correcting a clerical error.

And on this day passed, under suspension of the rules, Senate Bill No. 179—An Act to provide for laying down gas pipes in the streets of Sacramento and for furnishing gas to public and private buildings therein and for lighting the streets thereof.

ROBERTS,
Secretary.

SENATE CHAMBER,
March 11th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on the ninth instant, passed substitute for Senate Bills Nos 143 and 107—An Act to provide for the restoration and preservation of fish.

Also, passed Senate Bill No. 327—An Act to authorize the State Librarian to appoint an additional deputy, and to fix the compensation therefor

Also, passed Senate Bill No. 20—An Act to provide for the payment of the State's portion of the salary of the County Auditor of Fresno County.

Also, passed Senate Bill No 100—An Act for the relief of John H. Smith.

Also, passed Senate Bill No 428—An Act to authorize the construction of a railroad in the Town of Santa Clara.

Also, passed Senate Bill No. 289—An Act to better define the boundary line between Fresno and Mariposa Counties.

Also, passed Senate Bill No. 397—An Act to protect fishing in the Sacramento River

And adopted Senate Concurrent Resolution No. 32—Relative to the construction of a ship canal across the Isthmus of Darien or Panama.

Also, adopted Senate Concurrent Resolution No 37—Relative to declaring Vallejo a port of entry.

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
March 11th, 1870 }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, adopted Senate Concurrent Resolution No 40—Relative to inserting an enacting clause in Senate Bill No. 458.

CURTIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate resolution in reference to substitute for Assembly Bill No. 429 concurred in.

Substitute for Senate Bills Nos. 143 and 107, above reported, read first and second times and referred to the Committee on Agriculture.

Senate Bill No. 397, above reported, read first and second times and referred to the Committee on Agriculture.

Senate Bill No. 289, above reported, read first and second times and referred to the Committee on Counties and County Boundaries.

Senate Bill No. 20, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Bill No. 100, above reported, read first and second times and referred to the Committee on Claims

Substitute for Senate Bill No. 327, above reported, read first and second times and referred to the State Library Committee

Senate Concurrent Resolution No. 37, above reported, read first and second times and referred to the Committee on Federal Relations

Senate Concurrent Resolution No. 32, above reported, read first and second times and referred to the Committee on Federal Relations.

Senate Concurrent Resolution No. 40, above reported, concurred in.

Senate Bill No. 428, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 179, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved

REPORT.

Mr. Stephens, from the Sacramento delegation, by leave, submitted the following report:

MR. SPEAKER: The Sacramento delegation, to whom was referred Senate substitute for Assembly Bill No. 429—An Act entitled an Act granting a street railroad franchise in the City and County of Sacramento—have had the same under consideration, respectfully beg leave to report the same back, and recommend that the Assembly do not concur in Senate substitute

FREEMAN, for Delegation.

Mr. Murphy of Del Norte was granted leave of absence for the remainder of the day

SPECIAL ORDERS.

At two o'clock P. M. the House proceeded to the consideration of the special orders—Message of the Governor, returning, without his approval, Assembly Bill No. 99—An Act to grant the right of way for a railroad track within the corporate limits of the City of Vallejo, in the County of Solano, to Edward McGettigan, Henry Connelly, their associates and assigns.

Also, Assembly Bill No. 267—An Act to authorize W. W. Fowler, George J. Hooper, their associates and assigns, to lay down gas pipes in the City of San Diego

The question being on Assembly Bill No. 99, "Shall the bill pass, notwithstanding the objections of the Governor?" the roll was called, and it so passed, by the following vote:

AYES—Messrs. Berry, Blankenship, Brown of Yuba, Carothers, Crigler, Duffy, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma,

Horan, Hubner, Hudson, Johnson, Kelley, King, Lambert, McClaskey, McMillan, Merritt, Miller of El Dorado, Miller of Marin, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Oates, O'Connell, Odell, Pool, Robinson, Romer, Satterwhite, Scarce, Shoemaker, Stephens, Thomas, Thurston, Walden, Williams, York and Young—48

NOES—Messrs Andrews, Biggs, Brown of Amador, De Haven, Inman, Koutz, Martin of Siskiyou, Mooney, Power, Sammons, Shores, Slicer, Waldron and Mr. Speaker—14.

The question being on Assembly Bill No. 267, "Shall the bill pass, notwithstanding the objections of the Governor?" the roll was called, and the bill passed over the veto of the Governor, by the following vote :

AYES—Messrs. Blankenship, Brown of Yuba, Carothers, Crigler, Duffy, Eichelroth, Escandon, Finney, Freeman, Fryer, Griswold, Haile, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Kelley, King, McClaskey, McMillan, Miller of El Dorado, Miller of Marin, Murphy of Del Norte and Klamath, O'Connell, Odell, Pool, Robinson, Romer, Satterwhite, Scarce, Shoemaker, Stephens, Walden, Williams, York and Young—38.

NOES—Messrs. Andrews, Brown of Amador, Hubner, Inman, Johnson, Koutz, Martin of Siskiyou, Mooney, Power, Shores, Slicer, Thomas and Mr. Speaker—13.

Mr. Calderwood was granted leave of absence for two days and indefinite leave of absence was granted the Chaplain.

Mr. Haile moved that the Committee on Mines and Mining Interests be requested to report back Assembly Bill No. 374.

Carried.

When Mr. Andrews submitted the following report :

MR. SPEAKER : The Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 374—An Act to encourage iron mining—report the same back amended in accordance with instructions.

ANDREWS, Chairman.

Mr. Haile moved to recommit the bill to the committee, with special instructions to strike out the former special instructions

Mr. Hihn moved to amend by adding other special instructions.

Adopted.

And the motion as amended agreed to.

GENERAL FILE CONTINUED.

On motion of Mr. Murphy of Santa Clara, Assembly Bill No. 370 was made the special order for Friday, March eighteenth, at eleven o'clock A. M

Senate Bill No. 101—An Act to establish a State Board of Health.

Read a third time and passed ; title approved

Senate Bill No. 358 referred to the Judiciary Committee.

Senate Bill No. 109—An Act to settle and pay the unpaid expenses of the State Geological Survey.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back and passage recommended.

Read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Miller of El Dorado, Mooney and Gildea, and it passed, by the following vote :

AYES—Messrs. Blankenship, Carothers, De Haven, Escandon, Finney, Fortune, Freeman, Fryer, Gildea, Green, Haile, M. Hayes, Hihn, Horan, Hubner, Inman, Johnson, King, Koutz, Lambert, Lewelling, Mooney, Murphy of Santa Clara, Naphtaly, Robinson, Romer, Ryan, Sammons, Satterwhite, Shoemaker, Shores, Thomas, Thurston, Walden, Waldron, Williams, York, Young and Mr. Speaker—39.

NOES—Messrs. Andrews, Appling, Berry, Brown of Amador, Doss, Hawley, Hudson, Martin of Butte, Merritt, Miller of El Dorado, Newell, Oates, Pool, Scarce and Slicer—15.

Title approved.

Assembly Bill No. 380—An Act to create the Nineteenth Judicial District.

Rules suspended, bill considered engrossed, read a third time.

On the passage of the bill, the roll was called, and failed to receive the two-third vote required by law :

AYES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Doss, Escandon, Fortune, Freeman, Fryer, Gildea, Green, Hawley, M. Hayes, Henley of Sonoma, Hihn, Horan, Hudson, Johnson, Kelley, King, Koutz, Lambert, Martin of Butte, Miller of El Dorado, Miller of Marin, Moy-nihan, Murphy of Santa Clara, Naphtaly, Oates, Odell, Pool, Robinson, Romer, Satterwhite, Shoemaker, Stephens, Thomas, Walden, Williams, Young and Mr. Speaker—41

NOES—Messrs. Andrews, Berry, Brown of Yuba, Carothers, Finney, Hubner, Inman, Lewelling, Martin of Siskiyou, McClaskey, Mooney, Power, Ryan, Sammons, Waldron and York—16.

Mr. Ryan gave notice that on to-morrow he would move to reconsider the vote just taken.

Assembly Bill No. 316—An Act supplementary to an Act concerning crimes and punishments.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No 451—An Act to provide for the payment of the funded indebtedness of the State of California and contract a funded debt for that purpose.

Considered in Committee of the Whole

[Speaker in the chair.]

IN ASSEMBLY.

Reported back, with amendments, and passage recommended.

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Mr. Kelley moved to suspend the rules, to take up Senate Bill No. 172—An Act to amend an Act providing for the time of holding the

several Courts of record in the State, approved April twenty-seventh, eighteen hundred and sixty-three

Carried.

Read a third time and passed; title approved.

Mr. Martin of Butte, by leave, offered a concurrent resolution, requesting the Governor to return to the House, Assembly Bill No. 70, to have an error corrected.

Adopted.

REPORTS.

Mr. Romer, Chairman of the Committee on Railroads and Telegraphs, by leave, made the following report:

Mr. SPEAKER: The Committee on Railroads and Telegraphs have had under consideration Assembly Bill No 524, report the same back and recommend its passage

ROMER, Chairman.

Mr. Andrews, from the Committee on Mines and Mining Interests, by leave, made the following report:

Mr. SPEAKER: The Committee on Mines and Mining Interests, to whom was referred Assembly Bill No 374, with special instructions to strike out the Chinese clause and all matters relating to taxes, respectfully report the bill back, amended according to instructions, as per accompanying amendment.

ANDREWS, Chairman.

The bill was again recommitted, with special instructions, as offered by Mr Gildea

Assembly Bill No. 389—An Act to pay the claim of Thomas R. Eldredge.

Considered in Committee of the Whole

[Speaker in the chair]

IN ASSEMBLY.

Reported back and passage recommended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr Brown of Yuba, from the Committee on Enrolment, made the following report:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Concurrent Resolution No 19—For the establishment of a mail route from Moore's Flat to Graniteville.

Also, Assembly Bill No. 107—An Act for the protection of deer in the County of San Mateo.

Also, Assembly Bill No 159—An Act to protect and encourage the production and sale of pure and wholesome milk, and to prohibit and punish the production and sale of unwholesome and adulterated milk.

Also, Assembly Bill No 203—An Act to repeal an Act entitled an Act to amend section eighteen of an Act to establish and maintain public pounds for the better securing of estrays and other stock in the County of Alameda, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 212—An Act to amend section four of an Act entitled an Act to provide for the licensing of auctioneers, and to define their duties and liabilities, approved April eighteenth, eighteen hundred and fifty-nine.

Also, Assembly Bill No. 215—An Act to legalize certain conveyances made by Gretta C. Thompson.

Also, Assembly Bill No. 349—An Act to provide for the building of a bridge and roadway across the estuary of San Antonio, in the County of Alameda.

Also, Assembly Bill No. 371—An Act concerning Notaries Public in the County of San Joaquin.

Also, Assembly Bill No. 421—An Act in relation to the office of Court Commissioner in the County of San Joaquin.

Also, Assembly Bill No. 450—An Act concerning public roads and highways in the Counties of Santa Cruz and San Diego.

Also, Assembly Bill No. 543—An Act to amend an Act entitled an Act to organize and regulate townships in San Mateo County, and to define the respective powers, duties and compensation of county and township officers in certain cases, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 213—An Act amendatory of a Act entitled an Act supplementary to an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba and Santa Clara, approved May seventeenth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 454—An Act concerning the office of Tax Collector in the Counties of Contra Costa and Santa Cruz.

And this day, at twelve o'clock m., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. Henley of Sonoma moved to take up substitute for Senate Bill No. 252—An Act to protect litigants.

Carried.

Mr. Duffy offered an amendment to section one.

Lost.

Mr. Berry moved to strike out the enacting clause of the bill.

Lost.

Read a third time.

Mr. Haile moved the previous question.

Sustained.

On the passage of the bill, the ayes and noes were demanded by Messrs Berry, Blankenship and York, and it passed, by the following vote:

AYES—Messrs. Appling, Blankenship, Crigler, Doss, Duffy, Eichelroth, Escandon, Fortune, Freeman, Fryer, Griswold, Haile, Hawley, M. Hayes, Henley of Sonoma, Horan, Hudson, Inman, Johnson, Kelley, Lambert, Martin of Butte, Martin of Siskiyou, McMillan, Merritt, Miller of El Dorado, Mooney, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Oates, O'Connell, Odell, Pool, Romer, Ryan, Satterwhite, Scarce, Shoemaker, Stephens, Thomas, Thurston, Walden, Young and Mr. Speaker—45

NOES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Brown of Yuba, Carothers, De Haven, Finney, Green, Hubner, Koutz, Lewelling, Power, Sammons, Shores, Waldron, Williams and York—18.

Title approved.

Mr. Duffy gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

Mr. Brown of Amador gave notice that on to-morrow he would move to reconsider the vote passing Senate Bill No. 101.

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, March 12th, 1870 }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Rev. Mr. Gober.

Journal of yesterday read and approved

Mr. McMurry of Trinity was granted leave of absence until Monday evening.

REPORTS OF STANDING COMMITTEES.

Mr. Naphtaly, from the Judiciary Committee, made the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 393—An Act to prohibit and punish seduction—respectfully report that they have had the same under consideration and report the same back, and recommend the passage of the bill.

They have also considered Assembly Bill No. 503—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco and to provide work for laborers—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 259—An Act to repeal section five hundred and nine of an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several amendments thereto—and respectfully report the same back and recommend the passage of the bill

They have also considered Assembly Bill No. 460—An Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one—and respectfully report the same back and recommend the passage of the bill.

They have also considered Senate Bill No. 299—An Act providing for the appointment of phonographic reporters in certain cases—and respectfully report the same back and recommend the passage of the bill.

They have also considered Senate Bill No 331—An Act supplementary to an Act entitled an Act to authorize the Board of Managers of the San Francisco Orphan Asylum Society, or any other orphan asylum society in this State, to bind as apprentices, clerks, servants, etc , etc — and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 457—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street—and respectfully report the same back with amendments, and recommend the passage of the bill as amended

NAPHTALY, Chairman.

Mr Kelley, from the Committee on Agriculture, made the following report :

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No 539—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals on private property, approved March twenty-sixth, eighteen hundred and sixty-six—have had the bill under consideration and have amended it, and report the same back and recommend its passage as amended.

KELLEY, Chairman

Mr Lambert, from the Committee on Ways and Means, made the following report :

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Senate Bill No 399—An Act to amend an Act to provide for paying certain equitable claims against the State of California and to contract a funded debt for that purpose, approved April twenty-eighth, eighteen hundred and fifty-seven ; also, Senate Bill No. 400—An Act to amend an Act entitled an Act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds, approved April fourth, eighteen hundred and sixty-four—have had the same under consideration, and report said bills back to the Assembly and recommend their passage.

The committee have also considered Assembly Bill No. 537—An Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State, passed May seventeenth, eighteen hundred and sixty-one—and report the same back to the Assembly and recommend that it do not pass .

LAMBERT, Chairman.

On motion of Mr Lambert, the rules were suspended and Senate Bills Nos. 399 and 400 taken up.

Each bill read a third time and passed ; titles approved

Assembly Bill No 537, above reported, ordered on the general file.

Mr. Andrews, from the Committee on Mines and Mining Interests, made the following report :

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No 374, with instructions to strike out the words "two thousand five hundred" wherever they occur in the first section of the bill, and insert in lieu thereof "five thousand," report the bill back amended according to instructions, as per accompanying amendment

ANDREWS, Chairman

On motion of Mr Gildea, the rules were suspended and the above bills taken up for consideration, as above reported, under special instructions.

Read a third time

On the passage of the bill, the ayes and noes were demanded by the requisite number, and it passed, by the following vote :

AYES—Messrs Andrews, Brown of Yuba, Carothers, De Haven, Duffy, Eichelroth, Finney, Fortune, Fryer, Gildea, Green, M. Hayes, Henley of Mendocino, Hubner, Hudson, Johnson, Kelley, King, Lambert, Lewelling, McClaskey, Miller of El Dorado, Miller of Marin, Mooney, Naph-taly, Newell, Oates, Odell, Pool, Power, Robinson, Rockwell, Ryan, Satterwhite, Stephens, Thomas, Waldron, Williams, York, Young and Mr. Speaker—41

NOES—Messrs Berry, Biggs, Blankenship, Brown of Amador, Crigler, Escandon, Freeman, Haile, Henley of Sonoma, Hihn, Inman, Martin of Butte, Martin of Siskiyou, Merritt, Murphy of Santa Clara, Scarce, Shoemaker, Shores and Slicer—20

Title approved

Mr. Biggs, by leave, offered the following resolution :

Resolved, That the Clerk to Sergeant-at-Arms be authorized to receipt for the warrants of members and attachés of the Assembly, in the absence of the Sergeant-at-Arms

Adopted.

Messrs Thurston and Inman were granted leave of absence for one day.

REPORTS CONTINUED

MR. BROWN of Yuba, from the Committee on Enrolment, made the following report :

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 551—An Act in relation to the county officers of the County of Sierra.

Also, Assembly Bill No 330—An Act entitled an Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, approved April twenty-first, eighteen hundred and fifty-seven, and the Act amendatory thereof, approved April twenty-eighth, eighteen hundred and sixty.

Also, Assembly Bill No 293—An Act to provide for the payment of deficiency in the State Insane Asylum

Also, Assembly Bill No. 115—An Act to authorize Michael C. Duffey, Charles A. Scheidel, Theodore A. Coult and Caleb E. Wilcoxon, and their associates and assigns, to construct and maintain a railroad in the City of Marysville, Yuba County and the Town of Yuba City, Sutter County.

And this day, at ten o'clock and thirty minutes A. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. Newell, from the Committee on Engrossment, made the following report :

MR. SPEAKER : Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 160—An Act to protect the people of the State of California from the evils of Asiatic immigration.

Also, Assembly Bill No. 555—An Act in relation to State aid for internal improvements.

Also, Assembly Bill No. 412—An Act to authorize the Mayor and Common Council of the City of Stockton, in the County of San Joaquin, to donate one hundred thousand dollars to the Stockton and Copperopolis Railroad Company, and to provide for the payment of the same, and other matters relating thereto.

Also, Assembly Bill No. 442—An Act to create the County of Ventura, to establish the boundaries and to provide for its organization.

Also, Assembly Concurrent Resolution No. 48—Granting leave of absence to A. Maurice, Jr., District Attorney of Butte County.

NEWELL, for Committee.

REPORTS OF SELECT COMMITTEES.

Mr. Lewelling, from the Alameda delegation, made the following report :

MR. SPEAKER : The Alameda delegation, to whom was referred Senate Bill No. 287, have had the same under consideration, and report it back with an amendment, and recommend its passage as amended.

LEWELLING, for Delegation.

On motion of Mr. Lewelling, the rules were suspended and the bill above reported taken up.

Amendments adopted.

Read a third time and passed ; title approved.

Mr. Freeman, from the Sacramento delegation, made the following reports :

MR. SPEAKER : We, the undersigned, majority of the Sacramento delegation, to whom was referred Assembly Bill No. 401—An Act entitled an Act to amend the Act of March twenty-sixth, eighteen hundred and sixty-six, entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property—have had the same under consideration, and report the same back and recommend that it be indefinitely postponed.

FREEMAN,
DUFFY,
STEPHENS

Mr. SPEAKER: The Sacramento delegation, to whom was referred Senate Bill No. 527—An Act to authorize the County of Sacramento to issue bonds to raise money for Court-house and jail purposes—report the same back and recommend its passage.

FREEMAN, for Delegation.

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 469—An Act concerning the revenue and revenue officers of the County of Sacramento—have had the same under consideration, and beg leave to report the bill back and recommend its passage

FREEMAN, for Delegation.

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 471—An Act to authorize payment for work done in Swamp Land District Number Two—having had the same under consideration, report the same back and recommend its passage.

FREEMAN, for Delegation

Mr. Odell, from the Sacramento delegation, submitted the following minority report:

Mr. SPEAKER: The undersigned, members of the Sacramento delegation, to whom was referred Assembly Bill No. 401—An Act to amend the Act of March twenty-sixth, eighteen hundred and sixty-six, entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property—have had the same under consideration, and report it back and recommend the passage of the bill.

ODELL,
HORAN

Mr. Odell was granted time to make a minority report, from the Sacramento delegation, upon Assembly Bills Nos. 469 and 471.

MOTIONS AND RESOLUTIONS.

Mr. Naphtaly moved to reconsider the vote by which the House, on yesterday, refused to pass Senate Bill No. 380, and then moved to make the motion the special order for Tuesday next, at two o'clock P. M.

Carried.

Mr. McMillan offered a concurrent resolution, to allow John M. Kealy the sum of five dollars per day, for seventy-six days, for lighting and attending to the gas in the State Capitol.

Adopted.

On motion of Mr. Miller of Marin, Assembly Bills Nos. 423 and 481 were referred to the Marin County delegation.

Mr. Haile, by leave, presented a memorial from members of the Grand Lodge of Good Templars, asking an appropriation.

Received and referred to the Committee on Ways and Means.

Mr. Inman offered the following:

Resolved, That Mr. McMurry of Trinity and Dr. Doss be and they are hereby added to the Committee on Woman's Suffrage.

Adopted.

Mr. Gildea moved that Assembly Bills Nos. 265 and 251 be placed at the top of the general file for Tuesday next.

The Speaker ruled that it required a suspension of the rules.

Mr. Gildea rose to a point of order, stated the House was under the order of business of motions and resolutions, and his motion did not require a suspension of the rules.

The Speaker overruled the point of order, as it contemplated taking up bills out of their order.

Mr. Gildea appealed, and the Chair was sustained.

When Mr. Gildea moved to suspend the rules, to place the bills at the top of the file for Tuesday.

Mr. Martin of Butte moved to indefinitely postpone the motion.

Mr. Naphtaly offered an amendment, to lay the motion on the table.

Lost

Mr. Biggs moved the previous question.

Sustained.

On the motion to indefinitely postpone, the ayes and noes were demanded by Messrs. Gildea, Slicer and Andrews, and it prevailed, by the following vote:

AYES—Messrs. Biggs, Blankenship, Eichelroth, Finney, Fryer, Hawley, Henley of Mendocino, Henley of Sonoma, Hubner, Inman, Johnson, Lambert, Martin of Butte, McClaskey, McMillan, Merritt, Miller of Marin, Mooney, Oates, Pool, Robinson, Romer, Satterwhite, Shores, Thomas, Williams, York, Young and Mr. Speaker—29.

NOES—Messrs. Andrews, Berry, Brown of Yuba, Carothers, De Haven, Duffy, Escandon, Freeman, Gildea, Green, Haile, Hihn, Horan, Hudson, Kelley, Koutz, Lewelling, Martin of Siskiyou, Miller of El Dorado, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Power, Sammons, Searce, Shoemaker, Slicer and Stephens—28.

SENATE MESSAGES.

The following messages were received from the Senate:

SENATE CHAMBER,
March 11th, 1870 }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, corrected Senate Bill No. 429, as per resolution, and return the same.

And passed, March tenth, eighteen hundred and seventy, Senate Bill No. 176—An Act to provide compensation for revision of the laws.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 11th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on the ninth instant, passed, under suspension of the rules, Senate Bill No. 550—An Act to provide for the submission to the people the proposed amendment to the Constitution of the State, as proposed by the Legislature at its sixteenth session and adopted by the Legislature at its seventeenth session, to the votes of the qualified electors, at the next general election.

Also, on the tenth instant, under suspension of the rules, passed, as amended, Senate Bill No. 427—An Act to establish a steam ferry in the County of Solano.

Also, under suspension of the rules, passed, as amended, Senate Bill No. 275—An Act supplementary to an Act entitled an Act to authorize Daniel Darlington and others to build a wharf in Solano County, approved February twenty-first, eighteen hundred and fifty-five.

Also, indefinitely postponed Assembly Bill No. 360—An Act to authorize James R. Johnson, J. Wells, their associates and assigns, to construct and maintain a wharf in the Bay of Crescent City, in Del Norte County.

Also, under suspension of the rules, adopted and passed substitute for Senate Bill No. 293—An Act authorizing the parties herein named, to construct and maintain a ship canal from the City of Stockton to deep water on the San Joaquin River.

And this day, passed, under suspension of the rules, Assembly Bill No. 496—An Act in relation to the office of Tax Collector in the County of Monterey.

Also, passed, as amended, Assembly Bill No. 209—An Act to authorize the Auditor of Butte County to issue a warrant to W. L. Reese.

Also, reconsidered vote by which Assembly amendment was concurred in, March ninth, eighteen hundred and seventy, and refused to concur in Senate Bill No. 280—An Act amendatory and supplemental to an Act entitled an Act to authorize the Judges of the Supreme Court to employ a Secretary, approved April twenty-third, eighteen hundred and fifty-eight.

Also, adopted substitute for Assembly Bill No. 441—An Act to authorize the Board of Trustees of the City of Sacramento to allow a certain claim therein mentioned.

Also, passed Assembly Bill No. 313—An Act to authorize the Odd Fellows' Cemetery Association of San Francisco to borrow money for certain purposes, and to secure the same by mortgage upon real estate.

Also, passed Assembly Bill No. 467—An Act to prescribe the duties of certain officers in the County of Butte.

ROBERTS,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Substitute for Senate Bill No. 293, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Senate Bill No. 176, above reported, read first and second times and ordered on file.

Senate Bill No. 550, above reported, read first and second times and ordered on file.

Senate Bill No. 275, above reported, read first and second times and ordered on file.

Senate Bill No. 280, above reported.

Mr. Naphtaly moved that the House recede from its amendment.

Lost.

Mr. Naphtaly moved that a committee of free conference be appointed.

Lost.

Senate Bill No. 427, above reported, read first and second times and referred to the Solano and Contra Costa delegation.

Assembly Bill No. 441, above reported, referred to the Sacramento delegation.

Assembly Bill No 209, above reported, the House refused to concur in the Senate amendments.

REPORT.

Mr Lambert, from the Committee on Ways and Means, by leave, made the following report:

MR SPEAKER: The Committee on Ways and Means, to whom was referred Senate Bill No 543—An Act authorizing the sale of certain legal tender notes—have had the same under consideration, and report the bill back to the Assembly and recommend its passage

LAMBERT, Chairman.

On motion of Mr Lambert, the rules were suspended to take up the above reported bill

Read a third time and passed; title approved.

Mr Merritt was excused for the balance of the day

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called

Quorum present

Messrs Waldron, Shoemaker, Gildea, Naphtaly and the absentees were granted leave of absence for one day

REPORTS.

Mr. Horan, from the Committee on Claims, by leave, made the following report:

MR. SPEAKER: Your committee, to whom was referred Senate Bill No. 189—An Act for the relief of Robert M. Folger—report the same back and recommend that it be referred to the Amador and Alpine delegations.

Also, Assembly Bill No 579—An Act to pay for services rendered for the State in determining the character of certain lands in San Joaquin County claimed by the State as swamp and overflowed lands—having had the same under consideration, have amended said bill, by striking out, in section one, line one, the words "five hundred dollars," and inserting in lieu thereof the words "three hundred dollars," and recommend the bill pass as so amended.

HORAN, Chairman.

Assembly Bill No. 189, above reported, so referred.

Mr. Hibn moved that when the House adjourns, it adjourn to Monday next, at half-past two o'clock P. M.

Carried.

Mr. McClaskey, from the Committee on Swamp and Overflowed Lands, made the following report:

MR. SPEAKER: Your committee, to whom was referred Senate Bill No. 262—An Act to provide an official survey of the swamp and overflowed, tide and salt marsh lands in Marin County—have had the same under

consideration and respectfully report the same back and recommend the passage of the bill.

McCLASKEY, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Andrews—An Act to regulate the drawing of warrants on the Treasurer of Shasta County.

Read first and second times and, by unanimous consent, rules suspended, bill considered engrossed, read a third time and passed ; title approved.

By Mr. Martin of Butte—An Act to amend an Act to amend sections seven, five hundred and thirty-five and forty-one of an Act entitled an Act to regulate proceedings in civil cases in Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty one, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Judiciary Committee.

By Mr. Mooney—An Act to define and establish the boundary line between the Counties of Inyo and Mono.

Read first and second times and referred to the Committee on Counties and County Boundaries.

Also, an Act to confer additional powers on the Board of Supervisors of Mono County.

Read first and second times and referred to the Committee on Counties and County Boundaries.

By Mr. Thomas—An Act to authorize the construction of a railroad from tide water near the Town of Alviso, in the County of Santa Clara, to the southern boundary line of said county and to aid in the construction of said road.

Read first and second times and referred to the Santa Clara delegation.

Also, an Act authorizing the Board of Supervisors of the County of Santa Clara to pay to the Sheriff of said county certain moneys therein mentioned.

Read first and second times, rules suspended, bill considered engrossed, and by unanimous consent, read a third time and passed ; title approved.

Mr. Duffy moved to reconsider the vote by which Assembly Bill No. 252 passed on yesterday.

Mr. Henley of Sonoma moved to indefinitely postpone the motion.

Mr. Murphy of Del Norte moved the previous question.

Sustained.

On the motion to indefinitely postpone, the ayes and noes were demanded by Messrs. Duffy, Martin of Siskiyou, and Andrews, and the motion prevailed, by the following vote :

AYES—Messrs. Appling, Brown of Yuba, Crigler, Doss, Eichelroth, Fortune, Freeman, Fryer, Hawley, M. Hayes, Henley of Sonoma, Hihn, Horan, Hudson, King, Lambert, Martin of Butte, McClaskey, Miller of Marin, Mooney, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, Odell Robinson, Rockwell, Romer, Ryan, Satterwhite, Stephens, Thomas, Walden, Young and Mr. Speaker—35.

NOES—Messrs. Andrews, Berry, Brown of Amador, De Haven, Duffy, Hubner, Johnson, Martin of Siskiyou, Power, Sammons, Slicer and York—12.

Mr. Horan moved to suspend the rules, to take up Senate Bill No. 527.

—An Act to authorize the County of Sacramento to issue bonds to raise money for Court-house and jail purposes

Carried.

Read a third time and passed; title approved.

Mr. Murphy of Del Norte moved to suspend the rules, to take up Senate Bill No. 535—An Act to enable the Counties of Mendocino, Humboldt, Klamath and Del Norte to issue bonds to aid in the construction of a telegraph line through said counties

Carried.

Read a third time and passed; title approved.

At two o'clock and five minutes p. m. Mr. McClaskey moved to adjourn.

Lost.

GENERAL FILE

Senate Bill No. 200—An Act supplementary to an Act prescribing certain conditions for the transaction of insurance business in the State of California

Read a third time and passed; title approved

At two o'clock and twenty minutes p. m. Mr. Horan moved to adjourn.

Lost.

Mr. Martin of Butte moved to reconsider the vote by which the House voted to adjourn to two and a half o'clock on Monday, when it adjourns to-day.

Lost

Senate Bill No. 221—An Act providing for the adoption of minors and the legitimizing of children born out of wedlock.

Read a third time and passed; title approved

Senate Bill No. 186—An Act to extend an Act entitled an Act concerning District Court Reporters, approved March thirteenth, eighteen hundred and sixty-six

Read a third time and passed; title approved

Senate Bill No. 542—Relating to the care and custody of minor children in certain cases.

Read a third time and passed; title approved.

Assembly Bill No. 366.

Passed on file

Assembly Bill No. 312

Passed on file

Assembly Concurrent Resolution No. 34—Concerning lands in the desert west of Fort Yuma

Rules suspended, resolution considered engrossed, read a third time and passed: title approved

Assembly Bill No. 334—An Act to amend an Act concerning corporations

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 381—An Act to amend an Act entitled an Act to provide for the incorporation of colleges, passed April twentieth, eighteen hundred and fifty.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

On motion of Mr. Haile, Assembly Bill No. 184 was ordered to the top of the file for Tuesday next.

Mr. Haile moved to reconsider the vote by which Assembly Bill No. 432 passed on yesterday

The vote was reconsidered.

On motion of Mr. Doss, the bill was ordered second on file for Tuesday next

Assembly Bill No. 54—An Act to amend an Act for the protection of game, approved May fifteenth, eighteen hundred and fifty-four.

Substitute adopted.

Amended

Rules suspended, bill considered engrossed and read a third time.

Mr. Hihn moved to indefinitely postpone the bill

Lost.

When the bill passed; title approved.

Mr. Appling moved to suspend the rules to take up Senate messages.

Lost

REPORT

Mr. Newell, from the Committee on Engrossment, made the following report :

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 374—An Act to encourage iron mining.

Also, Assembly Bill No. 389—An Act to pay the claim of Thomas R. Eldredge.

NEWELL, for Committee

Mr. Berry moved to reconsider the vote by which Senate Bill No. 101 passed on yesterday.

Mr. Murphy of Del Norte moved to indefinitely postpone the motion.

Mr. Eichelroth moved the previous question.

Sustained

On the question to indefinitely postpone, the ayes and noes were demanded by Messrs. Berry, Thomas, and Brown of Yuba, and it prevailed, by the following vote:

AYES—Messrs. Appling, Brown of Yuba, Doss, Duffy, Eichelroth, Escandon, Finney, Haile, Hawley, M. Hayes, Hihn, Kelley, McClaskey, Miller of Marin, Mooney, Murphy of Del Norte and Klamath, Newell, Oates, O'Connell, Power, Rockwell, Ryan, Scarce, Stephens, Williams, Young and Mr. Speaker—27.

NOES—Messrs. Andrews, Berry, Brown of Amador, Crigler, Henley of Mendocino, Hubner, Johnson, Martin of Butte, Martin of Siskiyou, Murphy of Santa Clara, Sammons, Satterwhite, Slicer, Thomas and York—15.

Mr. Martin of Butte gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 54 passed.

On motion of Mr. Brown of Amador, Assembly Bill No. 214 was made the special order for Wednesday next, at half-past one o'clock p. m.

Assembly Bill No. 205 was ordered to the top of the general file for Wednesday next, on motion of Mr. McClaskey.

At three o'clock and thirty-five minutes p. m. Mr. Mooney moved to adjourn.

Lost.

Assembly Bill No 383—An Act to amend an Act entitled an Act to amend the revenue laws, approved April fourth, eighteen hundred and sixty-four.

Rules further suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No 384.

Passed on the file.

Assembly Bill No 388

Passed on the file.

Assembly Bill No 428

Passed on the file

Assembly Bill No 449

Passed on the file

Assembly Bill No 348 withdrawn by its author.

Assembly Bill No 285.

Indefinitely postponed.

Assembly Bill No. 427.

Ordered to the top of the file for Monday next.

Proposed Amendment to the Constitution of this State No 1

Ordered engrossed.

Proposed Amendment to the Constitution of this State No. 2—Changing time of electing Superintendent of Public Instruction.

Amendment adopted.

Rules suspended, resolution considered engrossed, read a third time and passed; title approved.

Mr Hihn gave notice that on Monday he would move to reconsider the vote just taken.

Assembly Bill No. 494—An Act to amend sections three and five of an Act to authorize the Governor of the State of California to appoint a Gauger and Weigher of Wines and Liquors, approved March thirtieth, eighteen hundred and sixty-eight

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 225.

Indefinitely postponed

Assembly Bill No 369—An Act for the relief of Amos Roberts, Sheriff of Solano County.

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY.

Reported back and passage recommended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 395.

Passed on the file

Assembly Bill No. 104.

Passed on the file.

Assembly Bill No 418.

Passed on the file.

Assembly Bill No. 472.

Passed on the file.

Assembly Bill No. 364

Passed on the file.

Assembly Bill No. 501.

Passed on the file.

Assembly Bill No. 309.

Substitute adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No 398—An Act to amend section five hundred and thirty-eight of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one

Rules suspended, bill considered engrossed. read a third time and passed; title approved.

Assembly Bill No. 222

Indefinitely postponed.

Assembly Bill No. 241

Indefinitely postponed.

Assembly Bill No. 274.

Indefinitely postponed.

Assembly Bill No 224.

Indefinitely postponed

Assembly Bill No. 223.

Indefinitely postponed

Assembly Bill No. 275 withdrawn from the further consideration of the House.

Assembly Bill No. 236.

Passed on the file.

Assembly Bill No. 376

Passed on the file.

Assembly Bill No. 260—An Act relative to the quartz mines of the State of California and to protect the miners employed therein.

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

At four o'clock and thirty minutes p. m. Mr. Slicer moved to adjourn.

On which the ayes and noes were demanded by Messrs. Andrews, Martin of Siskiyou and Slicer, and the House refused, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Brown of Amador, Duffy, Escandon, Hihn, Hubner, Hudson, Johnson, Kelley, Martin of Siskiyou, Murphy of Del Norte and Klamath, Newell, Oates, Power, Rockwell, Ryan, Sammons, Scarce, Slicer and Stephens—22

NOES—Messrs Brown of Yuba, Crigler, Doss, Eichelroth, Finney, Fryer, Haile, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Martin of Butte, McClaskey, Miller of Marin, Mooney, Murphy of Santa Clara, O'Connell, Satterwhite, Thomas, Williams, York, Young and Mr. Speaker—23.

On motion of Mr. Slicer, Assembly Bills Nos 265, 251, 434 and 513 were made the special order for Wednesday next, at two o'clock p. m.

Assembly Bill No. 541—An Act in relation to the delinquent taxes on money at interest, secured by mortgage or otherwise (A substitute for Assembly Bills Nos. 24, 96, 268.)

Mr. Thomas moved to indefinitely postpone the bill.

Mr. Martin of Butte moved the previous question.

Sustained.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded by Messrs. Murphy of Del Norte, Berry and Ryan, and it prevailed, by the following vote:

AYES—Messrs Andrews, Appling, Berry, Brown of Yuba, Crigler, Duffy, Finney, Haile, Hawley, Henley of Sonoma, Hudson, Johnson, Kelley, Koutz, Martin of Butte, Martin of Siskiyou, Mooney, Newell, Oates, Power, Sammons, Satterwhite, Scarce, Slicer, Thomas, Williams and Young—27.

NOES—Messrs Eichelroth, Escandon, Fryer, M. Hayes, Henley of Mendocino, Hihn, Hubner, Miller of Marin, Murphy of Del Norte and Klamath, Murphy of Santa Clara, O'Connell, Rockwell, Ryan, Stephens, York and Mr. Speaker—16.

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, March 14th, 1870. }

House met pursuant to adjournment.

Speaker in the chair

Roll called.

Quorum present

Journal of Saturday last read and approved.

Mr. M. Hayes was granted indefinite leave of absence, and Mr. Mooney for one day.

Messrs. G. R. B. Hayes and McMillan asked permission and were allowed to have their votes recorded in the negative, on the motion to indefinitely postpone Assembly Bill No. 541. as taken on Saturday, March twelfth.

Messrs. Shores, Blankenship, Green, Pool, O'Connell, Horan, Shoemaker, and Murphy of Santa Clara were granted leave of absence for one day.

PETITION.

The Speaker presented a petition from citizens of Tulare Valley, in favor of Assembly Bill No. 328, concerning the drainage of said valley.

Received and referred to the Committee on Swamp and Overflowed Lands.

REPORTS OF STANDING COMMITTEES.

Mr. Rockwell, from the Committee on Commerce and Navigation, made the following report:

MR. SPEAKER: The Committee on Commerce and Navigation makes report as follows:

It has had under consideration substitute for Senate Bill No. 293—An Act authorizing the parties therein named, their associates and assigns, to construct and maintain a ship canal from the City of Stockton to deep water on the San Joaquin River

The work contemplated by this bill is one which, if completed, will prove of vast benefit to a large portion of country, by draining and dyking vast quantities of marsh lands and by opening shorter water communication between interior points and the City of San Francisco. Therefore, the committee recommend its passage.

Also, have considered Assembly Bill No. 544—An Act to authorize the establishment of a steam ferry between the Village of Tomales and the opposite side of Tomales Bay to Laird's Landing, in Marin County, and to construct wharves and docks for the same.

It appearing that the proposed ferry would be a great public benefit, there being no general law under which the franchise sought can be obtained, and the bill being carefully guarded, its passage is recommended.

Also, have considered Assembly Bill No. 500—An Act to authorize the construction of a swing or draw bridge across the San Antonio Creek, in the County of Alameda—together with petitions for and a protest against the passage of the same.

The bill contemplates the erection of a free bridge, with a proper draw or swing, across the mouth of San Antonio Creek, from Oakland to the Alameda Encinal. The cost of the proposed work is limited to a certain sum, which sum is to be raised by taxes on property in Oakland and on the Encinal. The bridge is to be built under the direction of Commissioners to be appointed by the authorities of Oakland, and when built, to be free to the public, and under control of the Supervisors of Alameda County, as are the roads and highways of said county. Forty-four residents of Brooklyn Township protest against the passage of the bill. On the other hand, one hundred and twenty-eight residents of said township, together with the Common Council of the City of Oakland, petition in favor of the passage of the bill. This fact, together with the demonstrated fact that the bridge, if built, will afford much needed accommodation to a very great number of people and tend to enhance the value of property, induces the committee to recommend that Assembly Bill No. 500 do pass.

Also, have considered Assembly Bill No. 458—An Act to declare Old San Joaquin River and Indian or Pescadero Slough a navigable stream.

It is essential to many interests that the waters named should be kept open for the use of small sailing vessels, steamers and other water craft, and hence the passage of the bill is recommended.

ROCKWELL, Chairman,

Mr. Henley of Sonoma, from the Committee on Federal Relations, made the following report:

MR. SPEAKER: The Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 30—Concerning the construction of a breakwater at Wilmington; and Senate Concurrent Resolution No. 13—Concerning a mail route in Merced County; also, Senate Concurrent Resolution No. 37—Relative to declaring Vallejo a port of entry; also, Senate Concurrent Resolution No. 32—Relative to the construction of a ship canal through the Isthmus of Darien or Panama—

beg leave to report the same back, respectfully recommending their passage.

HENLEY (of Sonoma), Chairman

Mr. Haile made the following report :

MR SPEAKER : Your special committee, composed of the delegations from Solano and Contra Costa, to whom was referred Senate Bill No. 427—An Act to establish a steam ferry in the County of Solano—beg leave to report that we have had the same under consideration, report the bill back with amendments, and recommend its passage as amended.

HAILE, for Delegations

On motion of Mr. Haile, the rules were suspended and the above reported bill taken up

Amendments adopted.

Read a third time and passed; title approved

Mr. Miller of Marin made the following report :

MR SPEAKER : The delegation from Marin County, to whom was referred Assembly Bill No 423—An Act reorganizing the Board of Supervisors of Marin County and redistricting said county—having had the same under consideration, beg leave to report a substitute therefor, and recommend the passage thereof.

MILLER (of Marin), for Delegation

Mr Miller of Marin moved to suspend the rules, to take up the above reported bill.

Carried.

Substituted adopted.

Rules further suspended, bill considered engrossed, read a third time and passed; title approved

Mr Newell, from the Committee on Engrossment, made the following report :

MR SPEAKER : The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 316—An Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty

Also, Amendment to the Constitution of the State No. 1.

Also, Assembly Bill No. 494—An Act to amend sections three and five of an Act to authorize the Governor of the State of California to appoint a Gauger and Weigher of Wines and Liquors, approved March thirtieth, eighteen hundred and sixty

Also, Assembly Concurrent Resolution No. 34—Concerning lands in the desert west of Fort Yuma

NEWELL, for Committee

GOVERNOR'S MESSAGE.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 Sacramento, March 14th, 1870. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 20—An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library, and to secure the use of the same to the Courts held at San Francisco, the bar, the city and county government and the people of the City and County of San Francisco.

Also, Assembly Bill No. 91—An Act to incorporate the Town of San Juan.

Also, Assembly Bill No. 76—An Act to incorporate the City of Gilroy.

Also, Assembly Bill No. 293—An Act to provide for the payment of deficiency in the State Insane Asylum.

Also, Assembly Bill No. 215—An Act to legalize certain conveyances made by Gretta C. Thomson.

Also, Assembly Bill No. 543—An Act to amend an Act entitled an Act to amend an Act entitled an Act to organize and regulate townships in San Mateo County and to define the respective powers, duties and compensation of county and township officers in certain cases. approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 371—An Act concerning Notaries Public in the County of San Joaquin.

Also, Assembly Bill No. 107—An Act for the protection of deer in the County of San Mateo.

Also, Assembly Bill No. 346—An Act to grant further powers to the Board of Trustees of the City of San Diego and establish the boundaries of the said city.

Also, Assembly Bill No. 454—An Act concerning the office of Tax Collector in the Counties of Contra Costa and Santa Cruz.

Also, Assembly Bill No. 159—An Act to protect and encourage the production and sale of pure and wholesome milk, and to prohibit and punish the production or sale of unwholesome or adulterated milk.

Also, Assembly Bill No. 421—An Act in relation to the office of Court Commissioner of the County of San Joaquin.

Also, Assembly Bill No. 349—An Act to provide for the building of a bridge and roadway across the estuary of San Antonio, in the County of Alameda.

Also, Assembly Bill No. 551—An Act in relation to the county officers of the County of Sierra.

H. H. HAIGHT,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Martin of Butte moved to reconsider the vote by which the Journal of Saturday last was approved.

Carried.

When, on motion of Mr. Martin of Butte, that portion of the Journal of Saturday, the twelfth instant, relating to "Amendment to the State Constitution, No. 2," was ordered stricken out.

After rescinding the action of the House, as above, the Journal of March twelfth was again approved.

Amendment to the State Constitution, No. 2—Changing the time of electing Superintendent of Public Instruction—was now taken up.

Amendment to the amendment adopted.

On motion of Mr. Crigler, the rules were suspended, bill considered engrossed and placed on its third reading.

Read a third time and passed by a unanimous vote, as follows :

AYES—Messrs Andrews, Appling, Berry, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Crigler, De Haven, Doss, Duffy, Eichelroth, Finney, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, Johnson, King, Koutz, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Newell, Odell, Power, Robinson, Romer, Ryan, Sammons, Satterwhite, Scarce, Slicer, Stephens, Thomas, Thurston, Waldron, York, Young and Mr. Speaker—57.

NOES—None

Title approved.

Mr. Martin of Butte, according to previous notice, moved to reconsider the vote by which Assembly Bill No. 54 passed on Saturday.

The vote was reconsidered, and the bill referred to the Judiciary Committee.

On motion of Mr. Berry, Assembly Bill No 577 was referred to the Sutter delegation.

Mr Naphtaly offered a concurrent resolution in reference to allowing mileage for conveying the National flag, to be presented to Congress, to and from Washington, District of Columbia.

Read first and second times and referred to the Committee on Contingent Expenses

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
March 12th, 1870. }

MR. SPEAKER : I am directed to inform the Assembly that the Senate, on this day, passed Senate Concurrent Resolution No. 42—Authorizing the Enrolling Clerk to correct error in Senate bill—An Act entitled an Act to prevent the kidnapping and importation of Mongolian, Chinese and Japanese females, for criminal or demoralizing purposes.

And, on March tenth, under suspension of the rules, passed Senate Bill No. 522—An Act making appropriation for deficiency in the appropriation made for twentieth and twenty-first fiscal years, ending July first, eighteen hundred and seventy.

Also, under suspension of the rules, passed Senate Bill No. 452—An Act to redistrict the County of Los Angeles into supervisor districts and provide for the election of Supervisors therefor.

Also, under suspension of the rules, passed Senate Bill No. 474—An Act to authorize the guardians of Frank G. Bartholomew and Ralph G. Bartholomew, infant heirs of Jacob Bartholomew, deceased, to sell real estate of said minors at public or private sale.

Also, under suspension of the rules, passed Senate Bill No. 513—An Act to pay for services rendered in the office of the State Surveyor-General.

Also, under suspension of the rules, passed Senate Bill No. 450—An Act to authorize the Board of Supervisors of Los Angeles County to erect a Court-house, or in their discretion to purchase a building suitable therefor, and to construct a fire-proof vault.

Also, under suspension of the rules, passed Senate Bill No. 398—An Act to amend an Act entitled an Act to authorize J. Bidwell, J. C. Mandeville, and others, to construct a wagon road in the Counties of Butte and Plumas.

Also, under suspension of the rules, passed Senate Bill No. 514—An Act for the relief of J. Scott Ashman, formerly Sheriff of Fresno County.

Also, under suspension of the rules, passed Senate Bill No. 441—An Act to authorize the incorporation of canal companies and to provide for the construction of canals and ditches.

Also, under suspension of the rules, passed Senate Bill No. 422—An Act concerning roads and highways in the County of Butte.

Also, under suspension of the rules, passed Senate Bill No. 233—An Act for the relief of Thos. F. Davenport, late County Collector of Nevada County.

Also, under suspension of the rules, passed Senate Bill No. 353—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of San Luis Obispo, approved April fourteenth, eighteen hundred and sixty-three.

Also, under suspension of the rules, passed Senate Bill No. 387—An Act to authorize the payment of lost interest coupons upon certain State bonds.

Also, under suspension of the rules, passed Senate Bill No. 361—An Act to improve the navigation of King's River.

Also, under suspension of the rules, passed Senate Bill No. 459—An Act to define the time when certain reports shall be made.

Also, under suspension of the rules, passed Senate Bill No. 460—An Act relative to the printing of certain reports.

Also, passed Senate Concurrent Resolution No. 39—Relative to the abolition of the income tax.

Also, adopted Senate Concurrent Resolution No. 41—Relative to ship building.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 522, above reported, read first and second times and referred to the Committee on Ways and Means

Senate Bill No. 452, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 450, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 513, above reported, read first and second times and referred to the Committee on Claims.

Senate Bill No. 387, above reported, read first and second times and referred to the Committee on Claims

Senate Bill No. 474, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 459, above reported, read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 460, above reported, read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved.

Substitute for Senate Bill No. 361, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Senate Bill No. 398, above reported, read first and second times and referred to the Plumas and Butte delegations.

Senate Bill No. 514, above reported, read first and second times.

Considered in Committee of the Whole.

[Mr. Haile in the chair.]

IN ASSEMBLY.

Reported back recommending its reference to the Committee on Claims

So referred

Senate Bill No. 441, above reported, read first and second times and referred to the Committee on Mines and Mining Interests

Senate Bill No. 422, above reported, read first and second times and referred to the Butte delegation.

Senate Bill No. 233, above reported, read first and second times and referred to the Nevada delegation

Senate Bill No. 453, above reported, read first and second times and referred to the San Luis Obispo delegation.

Senate Concurrent Resolution No. 39, above reported read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved

Senate Concurrent Resolution No. 41, above reported, read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved

Senate Concurrent Resolution No. 42, above reported, read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved

Mr. Henley of Sonoma gave notice that on to-morrow he would move to reconsider the vote passing Senate Concurrent Resolution No. 41.

INTRODUCTION OF BILLS

Bills were introduced as follows:

By Mr. Duffy—An Act to provide for the importation of birds.

Read first and second times and referred to the Committee on Agriculture

By Mr. Gildea—An Act to amend an Act entitled an Act concerning common schools in the City of Placerville.

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

Also, an Act to reincorporate the City of Placerville.

Read first and second times and referred to the El Dorado delegation.

By Mr. Eichelroth—An Act amendatory of and supplementary to an Act entitled an Act to reincorporate the City of Sonoma, approved April tenth, eighteen hundred and sixty-two

Read first and second times and ordered on the general file.

Mr. Fortune sent up a bill for an Act to remit taxes heretofore levied on money at interest secured by mortgage or otherwise.

Objections were made to the second reading of the bill.

Mr. Satterwhite moved to suspend the rules, to give Mr. Fortune the right to introduce the bill.

Mr. Henley of Sonoma moved to lay the motion on the table.

Carried.

The objections to the bill were being discussed, when Mr. Thomas rose to a point order, and stated the bill was upon the same subject as Assembly Bill No. 541, which the House had indefinitely postponed, and it was against the rules to introduce another bill embracing the same subject.

Sustained.

Mr. G. R. B. Hayes appealed from the decision of the Chair, stating the bill was an entire new bill and contained different provisions from the bill indefinitely postponed.

Mr. Slicer moved the previous question.

Sustained.

On the question, "Shall the decision of the Chair stand as the judgment of the House?" the ayes and noes were demanded by Messrs. Fortune, McMillan and Moynihan, and the Chair was sustained, by the following vote:

AYES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Calderwood, De Haven, Doss, Fryer, Gildea, Haile, Henley of Sonoma, Hubner, Hudson, Kelley, Koutz, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Murphy of Del Norte and Klamath, Power, Sammons, Satterwhite, Scarce, Slicer, Thomas, Thurston, Waldron, Williams and Young—32.

NOES—Messrs. Apping, Brown of Amador, Carothers, Duffy, Eichelroth, Fortune, Freeman, Griswold, G. R. B. Hayes, Henley of Mendocino, Hibb, Johnson, King, McCluskey, McMillan, Miller of Marin, Moynihan, Naphtaly and Ryan—19.

Mr. Gildea moved to suspend rule number fifty-one.

Lost.

By Mr. Freeman—An Act to provide compensation for the revision of the laws.

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

By Mr. Naphtaly—An Act in relation to sales and conveyances made by the Pacific Savings and Homestead Association.

Read first and second times and ordered on the file.

Also, an Act to provide for the supply of water to the City and County of San Francisco for street watering purposes and to provide revenue for the same.

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

By Mr. Hubner—An Act authorizing the Treasurer of San Joaquin County to transfer certain funds to the General School Fund of said county.

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

By Mr. Kelley—An Act to legalize and provide for the collection of delinquent taxes in the County of Yolo for the fiscal year commencing March first, eighteen hundred and sixty-nine.

Read first and second times and referred to the Judiciary Committee.

By Mr. Griswold—An Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim.

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

Also, an Act to provide for a railroad within the City and County of San Francisco.

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

By Mr. Henley of Sonoma—An Act to provide for the construction of a Hall of Records at the county seat of the County of Sonoma, to authorize the Board of Supervisors to issue the bonds of the county therefor and to provide for the payment of the same

Read first and second times and ordered on the general file.

By Mr. Henley of Mendocino—An Act to authorize the Board of Supervisors of Mendocino County to levy an additional tax for the construction of a wagon road from Ukiah to Mendocino City and to repair and improve the wagon road from Ukiah City to Cloverdale.

Read first and second times and ordered on the special file

By Mr. Murphy of Del Norte—An Act to amend section one of an Act entitled an Act to authorize the Supervisors of Del Norte County to levy a special tax and create a Redemption Fund for the payment of county indebtedness

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

By Mr. Sammons—An Act granting leave of absence to John Gale, District Attorney of Sierra County.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

At five o'clock and five minutes P. M., on motion of Mr. Slicer, the House took a recess until seven o'clock P. M.

EVENING SESSION.

At seven o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present

SPECIAL FILE.

Assembly Bill No. 438—An Act to locate the county seat for the County of Stanislaus.

Rules suspended and bill taken up out of its order, on motion of Mr. Walden

Amended.

Rules further suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Slicer, by leave, presented a petition of mechanics and others of San Francisco, praying that the Colleges of Mines, Engineering and Mechanical Arts be established by law in the City of San Francisco.

Received and referred to the Committee on Education

Assembly Bill No. 429—An Act granting a street railroad franchise in the City and County of Sacramento.

Mr. Duffy offered the following amendment to a Senate substitute for the bill: "And any other railroad which may hereafter be constructed shall have the right to run over any portion of the road already laid down, by paying half the construction of the portion over which they

run ; *provided*, they shall not run over more than one block in any one street."

Lost.

The question being on the adoption of the Senate substitute, the ayes and noes were demanded by Messrs. Duffy, Biggs, and Brown of Amador, and the House refused, by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Calderwood, Carothers, De Haven, Duffy, Johnson, Kelley, Koutz, Martin of Siskiyou, Moynihan, Oates, Odell, Power, Sammons, Waldron, Williams, Young and Mr. Speaker—21.

NOES—Messrs. Appling, Brown of Yuba, Crigler, Doss, Eichelroth, Finney, Fortune, Freeman, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, King, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Murphy of Del Norte and Klamath, Naphtaly, Newell, Robinson, Romer, Ryan, Satterwhite, Slicer, Stephens, Thomas, Thurston and York—37.

Senate Bill No. 319.

Laid on the table.

Senate Bill No. 145.

Indefinitely postponed.

Mr. Doss moved to suspend the rules, to take up Assembly Bill No. 430.

Lost

Assembly Bill No. 469.

Withdrawn by Mr. Odell, by leave.

Senate Bill No. 545—An Act authorizing the Board of Supervisors of San Mateo County to allow, and the County Treasurer to pay, a certain claim of Charles Carvalho, for interpreting

Read a third time and passed ; title approved

Senate Bill No. 528—An Act to authorize a tax to be levied upon the taxable property of Red Bluff School District, Tehama County, for building purposes

Read a third time and passed ; title approved.

Senate Bill No. 332—An Act to provide for paying certain claims against the City of Oakland and to contract a funded debt for that purpose

Read a third time and passed ; title approved

Senate Bill No. 151—An Act to authorize the guardians of James T. Boyd, Jr., and Willie Alexander Boyd, to sell certain real estate.

Read a third time and passed ; title approved.

Senate Bill No. 453—An Act to empower the County of San Joaquin to aid in the construction of the Stockton and Visalia Railroad.

Read a third time and passed ; title approved

Substitute for Senate Bill No. 328—An Act to empower the City of Stockton to aid in the construction of the Stockton and Visalia Railroad.

Read a third time and passed ; title approved.

Senate Bill No. 540—An Act to provide for the redemption of the outstanding warrants of Amador County, and to prevent a further increase of the indebtedness of said county.

Read a third time and passed , title approved.

Senate Bill No. 275—An Act supplementary to an Act entitled an Act to authorize Daniel Darlington and others to build a wharf in Solano County, approved February twenty-first, eighteen hundred and fifty-five.

Read a third time and passed ; title approved.

Senate Bill No 262—An Act to provide for an official survey of the swamp and overflowed, tide and swamp lands in Marin County.

Read a third time and passed ; title approved

The Railroad Committee and Messrs. Green, Murphy of Santa Clara and Shoemaker were excused for the remainder of the evening session

Assembly Bill No 231—An Act to district the County of San Diego.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No 392—An Act authorizing the Board of Supervisors of Kern County to issue bonds.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 405—An Act to amend an Act entitled an Act to incorporate the Town of Union, approved February second, eighteen hundred and fifty-eight.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No 413—An Act to legalize, ratify and confirm deeds of conveyance and grants of lands within the pueblo lands of San Diego.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 385.

Indefinitely postponed

Mr Merritt, by leave, introduced a bill for an Act concerning the charter election of eighteen hundred and seventy, for the City of Marysville.

Read first and second times, rules suspended, amended and, by unanimous consent, read a third time and passed ; title approved.

Assembly Bill No 326—An Act to legalize the assessment of taxes in the County of Contra Costa for the fiscal years eighteen hundred and sixty-six, eighteen hundred and sixty-seven, eighteen hundred and sixty-eight and eighteen hundred and sixty-nine.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 404—An Act to authorize the Board of Supervisors of Solano County to levy an additional road tax.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Concurrent Resolution No. 14—Asking donations of lands in Siskiyou County

Rules suspended, resolution considered engrossed, read a third time and passed ; title approved.

Assembly Concurrent Resolution No. 31—For the establishment of a mail route from Calistoga to Kelsey, Napa County.

Rules suspended, resolution considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 411—An Act to alter and better to define the corporate limits of the Town of Santa Rosa, in the County of Sonoma.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 414—An Act to provide for the translation of foreign records in the County of Sonoma, and to make such translation evidence of their contents.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 353—An Act granting certain privileges to the Potrero and Bay View Railroad Company.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 406—An Act to determine the lines and grades of streets, avenues, highways and lanes, in the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Concurrent Resolution No. 36—For a mail route in Humboldt and Klamath Counties

Rules suspended, resolution considered engrossed, read a third time and passed; titled approved

Assembly Bill No. 420—An Act to separate the office of County Recorder from the office of County Clerk of the County of Yuba.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 340—An Act for the preservation of trout in the Counties of Santa Clara, Santa Cruz, San Mateo, Monterey, Alameda, Marin, Sonoma, Placer and Nevada

Amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 407 withdrawn by its author, by leave

Assembly Bill No. 258—An Act authorizing Rodman Gibbons, and his associates and assigns, to construct and operate a street railroad in the County of Alameda.

Substitute adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 232—An Act granting certain parties the right to construct a toll bridge across the Colorado River

Amended and amendments adopted

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 201—An Act authorizing the construction of a wharf in San Diego County

Amended and amendments adopted

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 208—An Act to authorize B. T. Osborn, and others, as he may wish to associate with him, to build a wharf in the County of Solano.

Amended and amendments adopted

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 132—An Act to authorize Edward G. Rhodes, his associates, successors and assigns, to build and maintain a wharf at the foot of Yolo avenue, in the City of Vallejo.

Amended and amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 266—An Act to authorize Joseph P. Manassee, and others, to build and maintain a wharf in San Diego

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 345—An Act to authorize the San Diego and Gila Southern Pacific and Atlantic Railroad Company, and its assigns, to construct, maintain and use a wharf and wharves in front of pueblo lots one thousand one hundred and sixty-three and one thousand one hundred and sixty-four, at South San Diego, in the County of San Diego.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 248—An Act to authorize the construction of a wharf at Vallejo, Solano County, at the foot of Maryland street.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 134.

Indefinitely postponed.

Assembly Bill No. 437—An Act granting the right to construct and maintain a railroad in certain streets herein named, in the City and County of San Francisco.

Amendments adopted

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No. 294—An Act to authorize and empower Joshua A. Neal to sell and convey all the interest, property and estate of Maria and Josefa Neal, minor children of said Joshua and Bernal Neal, in certain lands in Alameda County.

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No. 256—An Act entitled an Act to authorize the Board of Supervisors of the County of San Joaquin to donate one hundred thousand dollars to the Stockton and Copperopolis Railroad Company and provide for the payment of the same, and other matters relating thereto

Substitute adopted.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No. 264—An Act to authorize the County of Santa Cruz to aid in the construction of railroads and other roads in said county, and for other purposes pertaining thereto.

Amended and amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No. 446—An Act concerning roads and highways in the County of Placer

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 455—An Act to provide for the location and laying out of a public road from Russian River, in Sonoma County, to the Gualalla River, in Sonoma County.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No. 459—An Act to authorize the Board of Supervisors of Sutter County to construct a bridge across the tule, at or near the point where the Stone road now crosses said tule, and collect tolls thereon

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 228.

Passed on the file.

Assembly Bill No. 444—An Act to authorize the issue of bonds by the County of San Diego to erect county buildings and to obtain a site therefor.

Substitute adopted.

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Concurrent Resolution No. 37—In reference to the Presidio near San Francisco.

Rules suspended, resolution considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 463—An Act to authorize the Treasurer of Sutter County to transfer money from the General Fund to the Hospital Fund of said county.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 339—An Act to create a Board of Levee and Street Trustees in and for the Town of Pacheco, Contra Costa County, and to define their powers and duties.

Amended and amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 356—An Act for the relief of W. R. Crawford.

Amended and amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 178—An Act to ratify and confirm a certain ordinance of the City and County of San Francisco, and proceedings thereunder.

Amended and amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 483—An Act for the relief of Anna Virginia Wakeman

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 443—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine, and the Acts amendatory and supplementary thereto.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 491—An Act amendatory of an Act entitled an Act in relation to roads and highways in Sonoma County, to provide for the election of one County Commissioner of roads and highways and prescribe his duties, and repeal all other Acts so far as they conflict with

the provisions thereof, approved March eighth, eighteen hundred and sixty-one.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 493—An Act to increase the number of Notaries Public for Stanislaus and Merced Counties.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 497—An Act conferring certain powers upon the Sonoma College Association

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 387—An Act to authorize the Mayor of the City of San Francisco to deed a certain lot of land in said city and county to the Trustees of the Associated Veterans of the Mexican War.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Mr. Biggs was excused for the remainder of the evening session.

At nine o'clock and twenty-five minutes P. M. Mr. Slicer moved to adjourn.

Lost

Assembly Bill No. 415—An Act to decrease the expense of land litigation in the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 425.

Passed on the file.

At nine o'clock and thirty-five minutes P. M., on motion of Mr. Satterwhite, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.
Tuesday, March 15th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present

Prayer by the Rev Mr Gober.

Messrs. Pool and Slicer were granted leave of absence for one day.

REPORTS OF STANDING COMMITTEES

Mr. Lambert, from the Committee on State Library, made the following report:

Mr. SPEAKER: The Committee on the State Library, to whom was referred Senate Bill No. 327—An Act to authorize the State Librarian

to appoint an additional deputy and fix the compensation therefor—have had the same under consideration, and herewith report the same back and recommend its passage.

LAMBERT, Chairman

Mr. Newell, from the Committee on Roads and Highways, made the following report:

Mr. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 482—An Act providing for the construction of a public road in Marin County—have had the same under consideration, and respectfully report the same back and recommend its passage.

Also, Assembly Bill No. 596—An Act to legalize and confirm the survey and location of the Weaverville and Shasta Wagon Road—have had the same under consideration, and respectfully report the same back and recommend its passage.

NEWELL, Chairman

Mr. Crigler, from the State Prison Committee, made the following report:

Mr. SPEAKER: The State Prison Committee, to whom was referred Assembly Bill No. 557—An Act to provide for the erection of a Branch State Prison in the Town of Folsom, Sacramento County—beg leave to report that we have had the same under consideration, and report it back and recommend that it do not pass

CRIGLER, Chairman.

Mr. Crigler also presented majority and minority reports of the joint committee appointed to examine into the management of the State Prison; the majority report signed by himself, and the minority by Mr. Stephens

The reports were ordered printed

[For reports, see Appendix]

Mr. Romer, from the Committee on Railroads and Telegraphs, made the following report:

Mr. SPEAKER: The Committee on Railroads and Telegraphs have had under consideration Senate Bill No. 243—An Act to empower the Counties of Stanislaus, Merced, Fresno, Tulare and Kern to aid in the construction of a railroad in said counties—have amended the same and recommend its passage as amended

Also, have considered Senate Bill No. 244—An Act to empower the City and County of San Francisco and Counties of Monterey and San Luis Obispo to aid in the construction of the Southern Pacific Railroad, and other purposes—and report the same back and recommend its passage.

ROMER,
GRISWOLD,
WILLIAMS,
HENLEY,
McMURRY,
BLANKENSHIP.

Mr. Kelley from the Committee on Agriculture made the following report:

Mr. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 382—An Act to encourage the raising of Angora or Cashmore goats in this State and the manufacture of different fabrics from the fleeces thereof—have had the same under consideration, and report the same back without recommendation.

KELLEY, Chairman

REPORTS OF SPECIAL COMMITTEES.

Mr. Hubner, from the San Joaquin delegation, made the following report:

Mr. SPEAKER: The San Joaquin delegation, to whom was referred Assembly Bill No. 604—An Act to authorize the Treasurer of San Joaquin County to transfer certain funds to the General School Fund of said county—report that we had the same under consideration, and recommend its passage.

HUBNER,
THURSTON

Mr. Brown of Amador made the following report:

Mr. SPEAKER: The delegation from Amador and Alpine, to whom was referred Senate Bill No. 189—An Act for the relief of Robert M. Folger—have had the same under consideration, report the bill back and recommend its passage.

JOHNSON,
BROWN (of Amador)

Mr. Freeman, from the Sacramento delegation, made the following report:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Senate substitute for Assembly Bill No. 441—An Act entitled an Act to authorize the Board of Trustees of the City of Sacramento to allow a certain claim therein mentioned—have had the same under consideration, beg leave to report the same back, and recommend that this House do not concur in Senate substitute.

FREEMAN.
ODELL,
STEPHENS

MOTIONS AND RESOLUTIONS

Mr. Satterwhite offered the following resolution:

Resolved, That the Senate be and is hereby requested to return Senate Bill No. 149, for the purpose of correcting a clerical error that escaped the attention of the House at the time of its passage.

Adopted.

Mr. Lambert offered the following concurrent resolutions:

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed, and our Representatives be requested, to use their exertions to repeal the statute in reference to the payment of the tax of two and one-half per cent. upon the gross proceeds of persons engaged in carrying passengers for hire in stages coaches in the State of California.

Resolved, That his Excellency the Governor be requested to forward a copy of the above resolution to our Senators and Representatives in Congress.

Read first and second times and referred to the Committee on Federal Relations.

SENATE MESSAGE

The following message was received from the Senate:

SENATE CHAMBER,
March 14th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on the eleventh instant, passed, under suspension of the rules, Senate Bill No. 307—An Act to provide for the sale and conveyance of certain submerged lands in the City and County of San Francisco to Henry B. Tichenor.

ROBERTS,
Secretary.

Senate Bill No. 307, above reported, read first and second times and ordered on file

Mr. Stephens offered the following concurrent resolution:

Resolved by the Assembly, the Senate concurring, That the Governor be and he is hereby respectfully requested to return for amendment Assembly Bill No. 435—An Act amendatory of and supplementary to an Act, approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Brown of Amador—An Act to amend an Act entitled an Act in relation to public roads in the County of Amador and to the Road Fund of said county

Read first and second times and ordered on the general file.

By Mr. Carothers—An Act to encourage the building of railroads in Contra Costa County

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

By Mr. Thomas—An Act to authorize the Governor to appoint a Commissioner and Inspector of Charities.

Read first and second times and referred to the Committee on State Hospitals.

By Mr. O'Connell—An Act to provide for the appointment of an Inspector of Gas Lamps in the City and County of San Francisco.

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

By Mr. Brown of Amador—An Act to repeal an Act entitled an Act creating the offices of Township Collectors and Assessors in the Counties of El Dorado and Amador.

Read first and second times and ordered on the special file.

By Mr. Kelley—An Act to separate the office of County Recorder from the office of County Clerk in the County of Yolo.

Read first and second times and ordered on the special file.

By Mr. G. R. B. Hayes—An Act for the relief of the First Regiment, Second Brigade, National Guard of California.

Read first and second times and referred to the Committee on Military Affairs.

Mr. Fortune called for the second reading of the bill offered by him on yesterday, entitled an Act to remit taxes heretofore levied on money at interest secured by mortgage or otherwise.

When the question was taken upon the rejection of the bill and the House refused.

Read a second time.

Mr. Thomas moved to refer the bill to the Committee on Ways and Means.

Lost.

Ordered on general file.

By Mr. Murphy of Santa Clara—An Act concerning the county records of the County of Santa Clara.

Read first and second times, rules suspended, considered engrossed and, by unanimous consent, read a third time and passed; title approved.

By Mr. McMillan—An Act for the relief of Marcus Harloe.

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

By Mr. Shoemaker—An Act to incorporate the Fire Department of the City of San José.

Read first and second times, rules suspended, considered engrossed and, by unanimous consent, read a third time and passed; title approved.

By Mr. G. R. B. Hayes—An Act to authorize an appropriation of three hundred dollars to pay James M. Sharkey and Lorenzo Hubbard, acting Commissioners for State children and for visits at the Industrial School, San Francisco.

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

Mr. Berry, by leave, verbally reported back from the Sutter delegation Assembly Bill No. 577—An Act concerning estrays in the County of Sutter—with amendments, and recommended the passage of the bill as amended.

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Haile rose to a question of privilege, asking for information as to the powers and duties of the Committee on Investigation, when Mr. Ryan offered the following resolution:

Resolved, That the Committee on Investigation be hereby further authorized to examine into all breaches of the privileges of this House.

Mr. Lambert moved the previous question.

Sustained.

On adopting the resolution, the ayes and noes were demanded by Messrs. Andrews, Berry and G. R. B. Hayes, and it was adopted, by the following vote:

AYES—Messrs. Andrews, Berry, Calderwood, De Haven, Eichelroth, Griswold, G. R. B. Hayes, M. Hayes, Hibn, Hubner, Kelley, Martin of

Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of Marin, Murphy of Del Norte and Klamath, O'Connell, Odell, Power, Robinson, Ryan, Scarce, Shores, Stephens, Thomas, Thurston, York, Young and Mr. Speaker—32

NOES—Messrs. Appling, Biggs, Blankenship, Carothers, Duffy, Fortune, Freeman, Gildea, Henley of Sonoma, Johnson, King, Koutz, Lambert, Lewelling, Martin of Butte, Miller of El Dorado, Mooney, Naphtaly, Oates, Sammons, Satterwhite, Shoemaker, Waldron and Williams—24

GENERAL FILE.

Senate Bill No 185—An Act to provide for the reclamation of swamp, salt marsh, tide and other overflowed lands.

Amendments adopted.

[Mr. Martin of Siskiyou in the chair.]

Mr. Andrews moved to recommit the bill to the Committee on Swamp and Overflowed Lands.

Carried

Mr. Doss, by leave, offered the following resolution :

Resolved, That the Senate be requested to return to the House, Assembly Bill No. 403—An Act for the relief of Hall and Garrison—immediately; it having been transmitted to the Senate prematurely

Adopted

Assembly Bill No 184—An Act to prevent forest and field conflagrations

Mr. Hihn was allowed to withdraw certain amendments recommended by the committee to the bill

Mr. Murphy of Santa Clara offered an amendment to section one : Strike out the following, 'or discharge or explode any firearms on such lands at any time between the fifteenth day of June and the first day of November in each year.'

Lost

Mr. Andrews moved to strike out the enacting clause of the bill

On which the ayes and noes were demanded by Messrs Hihn, Carothers and York, and the motion prevailed, by the following vote :

AYES—Messrs Andrews, Appling, Brown of Yuba, Calderwood, Crigler, Eichelroth, Gildea, Haile, Horan, Hubner, Hudson, King, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Murphy of Del Norte and Klamath, Newell, Oates, Odell, Power, Sammons, Shores, Thurston, Walden, Waldron and Williams—30

NOES—Messrs Berry, Biggs, Blankenship, Brown of Amador, Carothers, Escandon, Fortune, Fryer, M Hayes, Henley of Mendocino, Hihn, Johnson, Kelley, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphtaly, Romer, Ryan, Satterwhite, Scarce, Shoemaker, Thomas, York and Young—26

Amendment to the Constitution of the State, No 1—Striking out the word "Spanish" in the section requiring the laws of the State to be printed in the English and Spanish languages.

Read a third time

On the passage of the amendment, the roll was called, and it passed by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Yuba, Calderwood, Carothers, Crigler, Eichelroth, Fortune, Gildea, Haile, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hudson, Johnson, Kelley, King, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Murphy of Del Norte and Klamath, Naphtaly, Newell, Oates, Odell, Power, Sammons, Scarce, Shores, Thomas, Thurston, Walden, Waldron, York, Young and Mr. Speaker—48

NOES—Messrs. Brown of Amador, Escandon, Fryer, Griswold, Murphy of Santa Clara, Ryan, Satterwhite, Shoemaker and Williams—9.

Assembly Bill No. 427—An Act in relation to the school lands of this State.

During the consideration of the bill, at half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called

Quorum present.

REPORT.

Mr Lewelling, from the Committee on Engrossment, made the following report :

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 178—An Act to ratify and confirm a certain ordinance of the City and County of San Francisco and proceedings thereunder

Also, Assembly Concurrent Resolution No 37—In reference to the Presidio, near San Francisco.

Also, Assembly Bill No. 618—An Act concerning the charter election of eighteen hundred and seventy of the City of Marysville

Also, Assembly Bill No. 438—An Act to locate the county seat for the County of Stanislaus.

Also, substitute for Assembly Bill No. 423—An Act reorganizing the Board of Supervisors of Marin County and redistricting said county

Also, substitute for Assembly Bill No. 309—An Act to authorize the State Treasurer to surrender certain bonds.

Also, Assembly Bill No 267—An Act relative to the quartz mines of the State of California and to protect the miners employed therein

Also, Assembly Bill No 398—An Act to amend section five hundred and thirty-eight of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, A. D. eighteen hundred and fifty-one

Also, Assembly Bill No. 598—An Act authorizing the Board of Supervisors of the County of Santa Clara to pay to the Sheriff of said county certain moneys therein named.

Also, Assembly Bill No 334—An Act to amend an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty

Also, Assembly Bill No. 597—An Act to regulate the drawing of warrants on the Treasurer of Shasta County.

Also, Assembly Bill No 383—An Act to amend an Act entitled an Act to amend the revenue laws, approved April fourth, eighteen hundred and sixty-four.

Also, Assembly Bill No 381—An Act to amend an Act entitled an Act to provide for the incorporation of colleges, passed April twentieth, eighteen hundred and fifty.

Also, Assembly Bill No 369—An Act for the relief of Amos Roberts, Sheriff of Solano County.

Also, Assembly Bill No 326—An Act to legalize the assessment of taxes in the County of Contra Costa, for the fiscal years A. D. eighteen hundred and sixty-six, eighteen hundred and sixty-seven, eighteen hundred and sixty-eight and eighteen hundred and sixty-nine

Also, Assembly Bill No. 413—An Act to legalize, ratify and confirm deeds of conveyance and grants of land within the pueblo lands of San Diego

Also, Assembly Bill No 404—An Act to authorize the Board of Supervisors of Solano County to levy an additional road tax.

Also, Assembly Bill No. 231—An Act to district the County of San Diego and to provide for the election of Supervisors

Also, Assembly Concurrent Resolution No 31—For the establishment of a mail route from Calistoga to Kelsey, Napa County.

Also, Assembly Bill No 405—An Act to amend an Act entitled an Act, to incorporate the Town of Union, approved February second, eighteen hundred and fifty-eight

Also, Assembly Bill No 451—An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose

LEWELLING, for Committee

GENERAL FILE RESUMED

Assembly Bill No 427 continued.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No 539—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals on private property.

Amendments adopted.

Mr. Duffy offered an amendment to section two, by inserting "the whole of Sacramento County."

Mr. Murphy of Santa Clara moved the previous question.

Sustained

The amendment of Mr. Duffy was lost.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr Murphy of Santa Clara, by leave, offered the following resolution :

Resolved, That the Clerk is hereby instructed to comply with rule seventy-six, by placing all bills on the file in the order in which they are received from the committees; Assembly engrossed bills to be placed in their order at the head of the file

The special order set for this day at two o'clock P. M. was, on motion of Mr. Naphtaly, postponed until to morrow, at the same hour.

Mr. Henley of Sonoma moved to lay the resolution of Mr. Murphy of Santa Clara on the table.

Carried.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 15th, 1870.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 212—An Act to amend section four of an Act entitled an Act to provide for the licensing of auctioneers and to define their duties and liabilities, approved April eighteenth, eighteen hundred and fifty-nine

Also, Assembly Bill No. 203—An Act to repeal an Act entitled an Act to amend section eighteen of an Act to establish and maintain public pounds for the better securing of estrays and other stock in the County of Alameda, approved March thirty-first, eighteen hundred and sixty-six

Also, Assembly Bill No. 213—An Act amendatory of an Act entitled an Act supplementary to an Act entitled an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba and Santa Clara, approved May seventeenth, eighteen hundred and sixty-one

Also, Assembly Bill No. 330—An Act entitled an Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, approved April twenty-first, eighteen hundred and fifty-seven, and the Act amendatory thereof, approved April twenty-eighth, eighteen hundred and sixty.

Also, Assembly Bill No. 71—An Act amendatory of and supplementary to an Act entitled an Act to establish a paid Fire Department for the City and County of San Francisco, approved March second, eighteen hundred and sixty-six.

H. H. HAIGHT, ,
Governor

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 15th, 1870.

To the Assembly of the State of California :

I herewith return to your honorable body, by request, Assembly Bill No 435—An Act amendatory of and supplementary to an Act, approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento

Also, Assembly Bill No. 70—An Act to authorize Assessors to complete duties imperfectly performed.

H. H. HAIGHT,
Governor

Assembly Bill No. 435 was referred to the Sacramento delegation, on motion of Mr. Stephens

Mr. Gildea rose to a point of order, in reference to the general file, which was not arranged in accordance with rule seventy-six, as bills were not entered on the file in the order in which they were reported to the House.

Overruled.

Mr. Gildea appealed, and the Chair was sustained.

GENERAL FILE CONTINUED.

Senate Bill No 550—An Act to provide for the submission to the people of the proposed amendment to the Constitution of this State, as proposed by the Legislature at its sixteenth session and adopted by the Legislature at its seventeenth session. to the votes of the qualified electors at the next general election

Read a third time and passed ; title approved

Senate Bill No 331—An Act supplemental to an Act entitled an Act to authorize the Board of Managers of the San Francisco Orphan Asylum, or any other orphan asylum in this State, to bind out as apprentices, clerks, servants, etc.

Read a third time and passed ; title approved.

Senate Bill No. 299—An Act providing for the appointment of phonographic reporters in certain cases.

Read a third time and passed ; title approved.

Senate Bill No. 176—An Act to provide compensation for revision of the laws.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Bill reported back with amendments, and passage recommended as amended.

Amendments adopted.

Mr. Hubner moved to indefinitely postpone the bill

Lost.

Read a third time and passed ; title approved.

Senate Concurrent Resolution No 30—Relative to the erection of a breakwater.

Read a third time and passed ; title approved

Senate Concurrent Resolution No 32—Relative to the construction of a ship canal across the Isthmus of Darien or Panama

Read a third time and passed ; title approved.

Senate Concurrent Resolution No. 37—Relative to declaring Vallejo a port of entry.

Read a third time and passed ; title approved.

Assembly Bill No. 218—An Act to amend an Act entitled an Act to authorize the formation of corporations to provide the members thereof with homesteads or lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty-one.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 93—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two, approved March thirty-first, eighteen hundred and sixty-six.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 572—An Act to encourage tin mining

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back with amendments, with a recommendation that the bill be referred to the Committee on Mines and Mining Interests.

So referred

Assembly Bill No 529—An Act to exempt aged and infirm persons from their liabilities for road tax.

Amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr Miller of El Dorado, by leave, offered the following resolution:

Resolved, That all bills wherein aid is given by the State or counties to corporations, associations or individuals, shall be deemed general bills, and be placed on the general file

Mr Gildea moved to suspend the rules, to place the resolution on its passage

On which the ayes and noes were demanded by Messrs. Martin of Siskiyou, Gildea, and Henley of Sonoma, and the House refused, by the following vote:

AYES—Messrs. Andrews, Berry, Brown of Amador, Duffy, Gildea, Green, G R B. Hayes, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara. Oates, O'Connell, Odell, Power, Ryan, Sammons, Shoemaker, Shores, Slicer, Stephens and Thurston—25.

NOES—Messrs Appling, Biggs, Blankenship, Calderwood, Carothers, De Haven, Eichelroth, Finney, Griswold, Haile, Hawley, Henley of Sonoma, Hibn, Hudson, Inman, Kelley, King, Koutz, Lambert, Lewelling, Martin of Butte, McClaskey, McMillan, McMurry of El Dorado, Merritt, Naphtaly, Romer, Satterwhite, Scarce, Thomas, Walden, Waldron, Williams, York, Young and Mr. Speaker—36.

Mr Calderwood, by leave, offered a resolution authorizing the State Printer to print one thousand copies of the fee and salary law.

Laid over one day.

Assembly Bill No. 447

Laid on the table, on motion of Mr. Haile.

Assembly Bill No. 452—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

REPORTS.

Mr. Rockwell, from the Committee on Commerce and Navigation, by leave, made the following report:

MR SPEAKER: The Committee on Commerce and Navigation have had under consideration substitute for Senate Bill No 361—An Act to improve the navigation of King's River—and recommend its passage.

Also, Assembly Bill No. 272—An Act in relation to the water front in the City and County of San Francisco—have prepared a substitute therefor, and recommend the passage of the substitute.

ROCKWELL, Chairman

Mr. Ryan, from the San Francisco delegation, by leave, made a report as follows :

Mr. SPEAKER : The San Francisco delegation, to whom was referred Senate Bill No. 240, have had the same under consideration and herewith report it back, and recommend its passage as amended

RYAN, Chairman

Mr. McClaskey, from the Committee on Swamp and Overflowed Lands, by leave, made the following report :

Mr. SPEAKER : Your committee, to whom was referred substitute for Senate Bill No. 185—An Act to provide for the reclamation of swamp, salt marsh, tide and other overflowed lands—have had the same under consideration and beg leave to report the bill back without further recommendation

McCLASKEY, Chairman

Mr. Miller of Marin, from the Committee on Mileage, by leave, made the following report :

Mr. SPEAKER : The Committee on Mileage beg leave to make the following report and recommend the passage of the following resolution :

Resolved, That the State Controller be and he is hereby directed to draw his warrants on the Contingent Fund of the Assembly in favor of the following named parties, for the sums opposite their names, as mileage to the Committee on Public Buildings, for visiting Deaf, Dumb and Blind Asylum, Insane Asylum and University grounds :

| Names. | Miles. | Amount. |
|---------------------------|--------|---------|
| Biggs | 246 | \$49 20 |
| Shoemaker..... | 246 | 49 20 |
| McClaskey | 246 | 49 20 |
| Horan | 246 | 49 20 |
| Duffy..... | 246 | 49 20 |
| Murphy of Del Norte | 246 | 49 20 |

MILLER (of Marin), Chairman.

On motion of Mr. Biggs, the amount opposite the name of Mr. Murphy of Del Norte was stricken out.

When the resolution was adopted.

Mr. Horan moved to reconsider the vote just taken.

Mr. Murphy of Del Norte moved to indefinitely postpone the motion to reconsider.

Carried

Mr. McClaskey moved that substitute for Senate Bill No 185 be ordered at the top of the file for to-morrow.

Agreed to.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 467—An Act to prescribe the duties of certain officers in the County of Butte.

Also, Assembly Bill No. 313—An Act to authorize the Odd Fellows' Cemetery Association of San Francisco to borrow money for certain purposes and to secure the same by mortgage on real estate

Also, Assembly Bill No. 496—An Act in relation to the office of Tax Collector in the County of Monterey

Also, Assembly Bill No. 439—An Act amending the first section of an Act entitled an Act extending the time for the payment of a debt of ten thousand dollars, due from Alpine County to Amador County, approved February twenty-ninth, eighteen hundred and sixty-eight

Also, Assembly Bill No. 618—An Act concerning the charter election of eighteen hundred and seventy of the City of Marysville

And this day, at four o'clock P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

GENERAL FILE RESUMED.

Assembly Bill No. 341—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State.

Ordered engrossed.

Assembly Bill No. 403

Passed on the file.

Assembly Bill No. 525—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons.

Amended and amendment adopted

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 523—An Act to provide for a uniform system of ballots in this State.

Amendments adopted.

Rules suspended, bill considered engrossed and read a third time.

On motion of Mr. McMillan, the bill was referred to the special committee on uniform system of ballots.

SENATE MESSAGES

On motion of Mr. Thurston, the rules were suspended, to take up the following Senate messages:

SENATE CHAMBER, }
March 15th, 1870 }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No. 618—An Act concerning the charter election of eighteen hundred and seventy of the City of Marysville.

Also, return to Assembly, Senate Bill No. 149—An Act concerning the Insane Asylum of the State of California.

Also, Assembly Bill No. 432—An Act for the relief of Hall and Garrison.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 15th, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Assembly Concurrent Resolution No. 51—Relative to requesting the Governor to return Assembly Bill No. 435.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 15th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Senate Bill No 577—An Act to create a Redemption Fund and to provide means for defraying the expenses of El Dorado County.

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
March 15th, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Senate Concurrent Resolution No. 49—Relative to authorizing the Enrolling Clerk to correct Senate Bill No. 328 and Senate Bill No. 453.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 15th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on the tenth day of March, passed Senate Bill No 234—An Act to repeal an Act entitled an Act to authorize and require the Board of Supervisors of Butte County to levy a tax for the support of common schools in said county and to abolish taxation by school districts for like purposes

Also, Senate Bill No. 298—An Act concerning the City of Vallejo and to ratify and confirm a certain ordinance of the Trustees thereof.

Also, Senate Bill No 491—An Act to authorize Samuel Sprouel, George F. Jones, Charles L. Stilson and Joseph A. Clark to construct and maintain water works in the Town of Chico.

Also, Senate Bill No 454—An Act amendatory to an Act concerning roads and highways in the County of San Mateo.

Also, Senate Bill No 294—An Act to modify the grades of certain streets in the City and County of San Francisco

Also, Senate Bill No 218—An Act to amend section three hundred and thirty-six of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Senate Bill No. 246—An Act to legalize certain county warrants in the County of Tuolumne.

Also, on the eleventh, Senate Bill No. 338—An Act to amend an Act entitled an Act to provide for the incorporation of mutual insurance companies for the insurance of life and health and against accidents, approved April second, eighteen hundred and sixty-six.

Also, Senate Bill No. 347—An Act to amend an Act entitled an Act to authorize the City Council of the City of Oakland to improve the streets, lanes, alleys, courts and places in the said city, approved April fourth, eighteen hundred and sixty-four.

Also, Senate Bill No. 321—An Act to amend an Act in relation to personal mortgages in certain cases, approved May eleventh, eighteen hundred and fifty-three.

Also, Senate Bill No. 271—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 482—An Act concerning road taxes in the County of Sacramento

Also, Senate Bill No. 485—An Act concerning roads and highways in Sierra Township, County of Sierra.

Also, Senate Bill No. 456—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-seventh, eighteen hundred and sixty-eight.

Also, Senate Bill No. 557—An Act to fund the debt of the City of Los Angeles and to provide for the same.

Also, Senate Bill No. 423—An Act to amend an Act entitled an Act for the protection of game, passed May fifteenth, eighteen hundred and fifty-four

Also, Senate Bill No. 85—A bill to be entitled an Act the better to secure the collection of license taxes in the City and County of San Francisco.

Also, substitute for Senate Bill No. 11—An Act to grant to certain parties the right of way for a railroad track within the corporate limits of the City and County of San Francisco and run horse cars thereon.

Also, Senate Bill No. 57—An Act authorizing H S Sargeant and others to lay down and maintain a railroad in the City of Stockton and County of San Joaquin.

Also, Senate Bill No. 217—An Act to regulate the elections of voluntary political associations and parties in the City and County of San Francisco, and to secure a fair expression of the choice of such associations and parties in the nomination of candidates

Also, Senate Bill No. 202—An Act to authorize the payment of Mrs. Eliza McLane for supplies furnished the State Marine Hospital in eighteen hundred and fifty-three and eighteen hundred and fifty-four.

And, on the fourteenth instant, passed Assembly Bill No. 439—An Act amending the first section of an Act entitled an Act extending the time for the payment of a debt of ten thousand dollars due from Alpine County to Amador County, approved February twenty-ninth, eighteen hundred and sixty-eight

Also, Senate Bill No. 6—An Act concerning foreign corporations.

Also, Assembly Concurrent Resolution No. 49—Requesting the Governor to return to the Assembly. Assembly Bill No. 70, for the purpose of supplying an omission.

Also, Senate Concurrent Resolution No. 43—Relative to printing fee bills of Calaveras, El Dorado, Sierra and Nevada.

Also, Senate Concurrent Resolution No. 45—Requesting the Governor to return Senate Bill No. 314, for the purpose of correction

CURTIS,
Assistant Secretary

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 577, above reported, read first and second times and ordered on the special file.

Senate Bill No. 294, above reported, read first and second times and ordered on the special file

Senate Bill No. 491, above reported, read first and second times and ordered on the special file.

Substitute for Senate Bill No. 11, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 217, above reported, read first and second times and referred to the San Francisco delegation

Senate Concurrent Resolution No. 43, above reported, read first and second times and concurred in

Senate Concurrent Resolution No. 45, above reported, read first and second times and concurred in.

Senate Concurrent Resolution No. 49, above reported, read first and second times and concurred in

Senate Bill No. 6, above reported, read first and second times and referred to the Committee on Corporations.

Senate Bill No. 338, above reported, read first and second times and referred to the Committee on Corporations.

Senate Bill No. 202, above reported, read first and second times and referred to the Hospital Committee.

Senate Bill No. 57, above reported, read first and second times and referred to the San Joaquin delegation

Senate Bill No. 85, above reported, read first and second times and referred to the delegation named in the bill.

Senate Bill No. 423, above reported, read first and second times and referred to the Committee on Agriculture.

Senate Bill No. 557, above reported, read first and second times and referred to the Los Angeles delegation

Senate Bill No. 456, above reported, read first and second times and referred to the San Mateo delegation.

Senate Bill No. 454, above reported, read first and second times and referred to the San Mateo delegation

Senate Bill No. 485, above reported, read first and second times and referred to the Sierra delegation.

Senate Bill No. 482, above reported, read first and second times and referred to the Sacramento delegation

Senate Bill No. 271, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands

Senate Bill No. 321, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Bill No. 347, above reported, read first and second times and referred to the Alameda delegation.

Senate Bill No. 246, above reported, read first and second times and referred to the Tuolumne delegation.

Senate Bill No 218, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No 298, above reported, read first and second times and referred to the Solano delegation.

Senate Bill No 234, above reported, read first and second times and referred to the Butte delegation

At four o'clock and fifty minutes P M Mr. Shores moved to adjourn.

Mr. Appling moved to amend the motion by adding "until seven o'clock this evening"

Mr Gildea rose to a point of order, stating that a motion to adjourn was not amendable

Overruled by the Speaker, who decided that the rule requiring an evening session would take the adjournment to that hour.

The motion of Mr. Shores to adjourn was then carried.

EVENING SESSION.

At seven o'clock P. M. the House met pursuant to adjournment.

Speaker in the chair

Roll called.

Quorum present.

SPECIAL FILE.

Assembly Bill No 441—An Act to authorize the Board of Trustees of the City of Sacramento to allow a certain claim therein mentioned.

The House refused to concur in the Senate amendments.

Senate Concurrent Resolution No 13 referred to the Merced and Stanislaus delegations.

Substitute for Senate Bill No. 292—An Act authorizing the parties therein named, their associates and assigns, to construct and maintain a ship canal from the City of Stockton to deep water on the San Joaquin River

Amendments adopted

Read a third time and passed; title approved.

Senate Bill No 243—An Act to empower the Counties of Stanislaus, Merced, Fresno, Tulare and Kern. to aid in the construction of a railroad in said counties.

Mr Gildea moved to place the bill at the top of the general file for Thursday

On which the ayes and noes were demanded by Messrs. Gildea, Slicer and Appling, and the House refused, by the following vote :

AYES—Messrs Andrews, Berry, Carothers, Crigler, De Haven, Escandon, Gildea, Green, Haile, Hudson, Kelley, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Murphy of Santa Clara, Newell, Scarce, Shores and Slicer—19

NOES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Doss, Duffy, Eichelroth, Finney, Fortune, Freeman, Fryer, Griswold, Hawley, Henley of Mendocino, Henley of Sonoma, Hubner, Inman, King, Lambert, Lewelling, Martin of Butte, McClaskey, McMurry of El Dorado, Mooney, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Odell, Pool, Rockwell, Romer, Ryan, Sammons, Satterwhite, Shoemaker, Stephens, Thurston, Walden, Waldron, Williams, York, Young and Mr. Speaker—46

Amendment recommended by the committee adopted.

Mr. Ryan moved that the rule restricting speaking to five minutes be rescinded during the consideration of the bills now before the House.

Lost.

Mr. Andrews offered the following amendment: Add to section two: "*Provided*, that at the elections to be held under this Act, those who are voters in the said counties at the time of the approval of this Act, and no others, shall be entitled to vote."

On which the ayes and noes were demanded by Messrs. Andrews, Slicer and Gildea, and the amendment was lost, by the following vote:

AYES—Messrs. Andrews, Berry, Crigler, Escandon, Gildea, Hudson, Kelley, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Newell, Power, Scarce, Shoemaker, Shores and Slicer—17.

NOES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, De Haven, Doss, Duffy, Eichelroth, Finney, Fortune, Freeman, Fryer, Green, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Sonoma, Horan, Hubner, Inman, Johnson, King, Lambert, Lewelling, Martin of Butte, McClaskey, McMurry of El Dorado, Murphy of Del Norte and Klamath, Oates, Odell, Pool, Romer, Sammons, Satterwhite, Stephens, Thurston, Walden, Waldron, Williams, York, Young and Mr. Speaker—45.

Mr. Gildea offered the following amendment to section two: Amend by striking out from the word "thereon."

Mr. McMillan offered an amendment to the amendment, as follows: Amend section two so as to read as follows: "Every ballot cast in any of the counties herein mentioned, shall have inserted the words 'to build the said railroad with white labor—yes; Mongolian labor—no.'"

Amendment to the amendment lost.

Amendment lost.

Mr. Slicer offered an amendment, as follows: "*Provided*, that in no case shall the State become responsible for the payment of said bonds."

Lost.

Mr. Martin of Siskiyou offered an amendment to section seven, as follows: "*Provided*, that it shall not be lawful to charge more than five cents per mile for each passenger, or six cents per mile for each ton of freight transported over said road."

Lost.

Bill read a third time.

On its passage, the ayes and noes were demanded by Messrs. Gildea, Andrews and Slicer, and it passed, by the following vote:

AYES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Carothers, De Haven, Doss, Duffy, Eichelroth, Finney, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Johnson, King, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, Mooney, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Odell, Pool, Rockwell, Romer, Ryan, Sammons, Satterwhite, Shoemaker, Shores, Stephens, Thurston, Walden, Waldron, Williams, York, Young and Mr. Speaker—58.

NOES—Messrs. Andrews, Berry, Crigler, Escandon, Hihn, Kelley,

Koutz, McMillan, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Murphy of Santa Clara, Newell, Power, Scarce and Slicer—16.

Title approved

Mr Gildea gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

Senate Bill No. 244—An Act to empower the City and County of San Francisco and the Counties of Monterey and San Luis Obispo to aid in the construction of the Southern Pacific Railroad, and other purposes

Mr. Hihn offered the following amendment: Amend section one by inserting after the word "Gilroy" the words "by way of Salinas City."

Lost

Mr. Hihn offered to amend, as follows: Amend section one by inserting after the word "Gilroy" the words "by way of the valley of the Salinas River"

Lost.

Mr. Gildea moved to send the bill back to the Senate for correction as to its history, which did not show that the bill was read a second time in the Senate.

Lost

Mr. McMillan offered an amendment to section two, providing that the voting on the proposition to build the railroad shall exclude the employment of Mongolian labor

Lost.

Mr. Murphy of Santa Clara offered the following amendment: Add at the end of section four, "*provided* further, that the County of San Luis Obispo shall, in no event, give aid to said company, unless they shall construct their road within five miles of the Town of San Luis Obispo."

On the adoption of the amendment, the ayes and noes were demanded by Messrs Murphy of Santa Clara, Berry, and McMurry of Trinity, and the House refused, by the following vote:

AYES—Messrs. Andrews, Carothers, Crigler, Fryer, Gildea, Hailo, M. Hayes, Hihn, Kelley, Koutz, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Murphy of Santa Clara, Newell, Scarce, Shoemaker, Shores, Slicer and Thurston—21

NOES—Messrs. Appling, Berry, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Doss, Duffy, Eichelroth, Finney, Fortune, Freeman, Green, Griswold, Hawley, Henley of Sonoma, Horan, Hubner, Inman, King, Lambert, Lewelling, Martin of Butte, McClaskey, McMurry of El Dorado, Naphhtaly, Oates, Odell, Pool, Power, Rockwell, Romer, Ryan, Sammons, Satterwhite, Stephens, Walden, Waldron, Williams, York, Young and Mr. Speaker—42.

Mr. McMillan offered an amendment, to strike out "San Francisco" wherever it appears in the bill.

Lost.

Bill read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Slicer, McMillan and Romer, and it passed, by the following vote:

AYES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Doss, Duffy, Eichelroth, Finney,

Fortune, Fryer, Green, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Inman, Johnson, King, Lambert, Leewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, Miller of Marin, Mooney, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Odell, Pool, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Shores, Stephens, Thomas, Walden, Waldron, Williams, York, Young and Mr Speaker—57.

NOES—Messrs. Andrews, Berry, Crigler, Kelley, Koutz, McMillan, McMurry of Trinity, Miller of El Dorado, Murphy of Santa Clara, Newell, Power, Shoemaker and Slicer—13.

Title approved.

At nine o'clock and thirty-five minutes P. M., on motion of Mr Blankenship, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, March 16th. 1870 }

House met pursuant to adjournment

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Rev. Mr Gober

Journal of yesterday read and approved.

[Mr. Andrews in the chair.]

PETITION

Mr. Hihn presented a petition of citizens of Santa Cruz County, in reference to telegraph rates

Received and referred to the Railroad and Telegraph Committee

Mr. Slicer was allowed to change his vote on the passage of Senate Bill No. 244, passed on yesterday, for the reason that he voted in the affirmative for the purpose of giving notice to reconsider, which he was cut off from giving at the proper time.

REPORTS OF STANDING COMMITTEES.

Mr. Naphtaly, from the Judiciary Committee, made the following report:

MR SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 609—An Act to legalize and provide for the collection of delinquent taxes in the County of Yolo for the fiscal year commencing March first, eighteen hundred and sixty-nine—report that they have considered said bill and recommend its passage.

NAPHTALY, Chairman.

Mr. Newell, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 446—An Act concerning roads and highways in the County of Placer.

NEWELL, Chairman.

Mr. Eichelroth, from the Committee on State Hospitals, made the following report:

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Senate Bill No. 202—An Act to authorize the payment of the claim of Mrs. Eliza McLane. etc.—ask leave to report the same back and recommend that it be referred to the Committee on Claims.

EICHELROTH, Chairman.

Mr. Eichelroth, from the Tuolumne delegation, made the following report:

MR. SPEAKER: The Tuolumne delegation, to whom was referred Senate Bill No 246—An Act to legalize certain warrants in the County of Tuolumne—beg leave to report the same back and recommend its passage.

EICHELROTH, for Delegation

Mr. King, from the Committee on Corporations, made the following report:

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 622—An Act to encourage the building of railroads in Contra Costa County—have considered the same, and report the bill recommending its passage.

KING, Chairman

Mr. Slicer, from the Committee on Education, made the following report:

MR. SPEAKER: The Committee on Education, to whom was referred Assembly Bill No 608—An Act to amend an Act entitled an Act concerning common schools in the City of Placerville—have considered the same. report it back and recommend its passage.

SLICER, Chairman.

On motion of Mr Gildea, the rules were suspended and the above reported bill taken up

Rules further suspended. bill considered engrossed, read a third time and passed; title approved.

Mr Escandon, from the San Luis Obispo delegation, made the following report:

MR. SPEAKER: The San Luis Obispo delegation, to whom was referred Senate Bill No. 353, have had the same under consideration, and respectfully report it back and recommend its passage

ESCANDON, for Delegation

Mr. Horan, from the Committee on Claims, made the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 100—An Act for the relief of John H. Smith—report as follows: This claim is for the sum of five hundred and fifty-five dollars, for moneys expended by the said John H. Smith for the capture of John K. Best, the murderer of Michael Flinn, in San Joaquin County, in the year eighteen hundred and sixty-nine, and is based on the grounds of equity—there being no legal point at issue as regards the liability of the State. From the evidence, it appears that the reward offered and the money claimed to have been expended by the said Smith, for the capture and arrest of Best, was voluntary on his part, and on his own responsibility, being a personal matter, and rests entirely with him. From the facts and investigations had, your committee do not believe said bill to be a just claim against the State, and should not be paid. Therefore we report the same back and recommend that it be indefinitely postponed.

HORAN, Chairman.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 466—An Act for the relief of Peter E. Farrell—report as follows:

The claimant herein asks for relief in the sum of nine hundred dollars and interest on the same from the fifth day of September, eighteen hundred and fifty-six, for rent of rooms for the use of the Jefferson Guards, a military company organized in this State and called into service by proclamation of Governor Johnson, June second, eighteen hundred and fifty-six.

Your committee find, from evidence and investigation, that fourteen years have elapsed since the origin of said claim, and that there has been no effort on the part of claimant during that period to demand or ask for relief for said amount, notwithstanding there has been ten sessions of the Legislature held during this interval, and claimant being unable to show to your committee any good or sufficient reason why said claim should not have been presented before, or any cause for delaying the same, and from other facts within the knowledge of your committee, they are unable to make a favorable report on said bill, there not being sufficient grounds to justify the demand as herein claimed. Therefore we respectfully report said bill back without recommendation.

HORAN, Chairman

Also reported back Assembly Bill No. 581, setting forth certain facts why the Committee on Claims report the bill without recommendation.

[For report, see Appendix.]

Mr. Koutz, from the Sierra delegation, made the following report:

MR. SPEAKER: The Sierra delegation, to whom was referred Senate Bill No. 485—An Act concerning roads and highways in Sierra Township, County of Sierra—respectfully report that they have had said bill under consideration and report it back, and recommend its passage.

KOUTZ, for Delegation.

On motion of Mr. Koutz, the rules were suspended and the above reported bill taken up.

Read a third time and passed; title approved.

'REPORTS OF SPECIAL COMMITTEES.

Mr. McMurry of Trinity, from the Committee on Contingent Expenses, made the following report :

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred the accompanying resolution, allowing George A. Gillespie ten dollars out of the Contingent Fund of Assembly, have had the same under consideration and report the same back, and recommend that it pass :

Resolved, That the State Controller is hereby authorized and required to draw his warrant on the Contingent Fund of the Assembly, in favor of George A. Gillespie, for ten dollars, and the Treasurer is hereby authorized to pay the same out of said fund, the said amount being for five copies of the *Solano Press* furnished to Assemblyman Frisbie, of Solano County, during the seventeenth session of the Legislature, in the years eighteen hundred and sixty-seven and eighteen hundred and sixty-eight.

McMURRY (of Trinity), Chairman.

Adopted.

Mr. Finney, from the San Mateo delegation. made the following report :

MR. SPEAKER: The San Mateo delegation, to whom was referred Senate Bills Nos. 454 and 456, report the same back to this House and recommend their passage

FINNEY, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Duffy offered the following resolution :

Resolved, That when this House adjourns to-day, it do adjourn to meet at seven P. M. to-morrow, the seventeenth instant

On the passage of the resolution, the ayes and noes were demanded by Messrs. Haile, Duffy and Shores, and it was adopted, by the following vote :

AYES—Messrs. Andrews, Brown of Amador, Brown of Yuba, Calderwood, Duffy, Eichelroth, Escandon, Fortune, Freeman, Gildea, Green, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Hihn, Horan, Johnson, Kelley, King, Koutz, Lambert, Martin of Siskiyou, McClaskey, McMurry of Trinity, Miller of El Dorado, Mooney, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, O'Connell, Odell, Power, Rockwell, Ryan, Sammons, Satterwhite, Scarce, Shores, Slicer, Stephens, Thurston, York and Young—46

NOES—Messrs. Appling, Berry, Biggs, Carothers, De Haven, Doss, Haile, Henley of Sonoma, Hubner, Hudson, Inman, Lewelling, Martin of Butte, Merritt, Miller of Marin, Robinson, Thomas, Waldron and Williams—19.

Mr. Carothers offered the following resolution :

Resolved by the Assembly, the Senate concurring, That the Governor be requested to return Assembly Bill No 77, for the purpose of correcting an error

Adopted.

The following resolution was taken up:

Resolved, That the State Printer be directed to print one thousand additional copies of the fee and salary law, for distribution by the members of this House

On motion of Mr. Hubner, laid on the table.

[Speaker in the chair.]

Mr. Slicer offered a resolution, as follows:

Resolved, That the Judiciary Committee be, and are hereby requested, to report back to this House, to morrow, Senate Bill No. 153—An Act to equalize taxation

Mr. Naphtaly offered a joint resolution, directing the State Librarian to deliver to each of the Judges of the United States Courts on the Pacific Coast a copy of the California Reports

Adopted.

Mr. Slicer submitted a report from the Committee on Education, which was ordered printed.

[For report, see Appendix]

Mr. Gildea, in accordance with previous notice, moved to reconsider the vote by which Senate Bill No. 243 passed on yesterday

The House refused to reconsider.

Mr. Lewelling offered the following resolution:

Resolved, That Mr. Inman and Mr. Murphy of Santa Clara be and they are hereby added to the Committee on Female Suffrage.

Adopted.

Mr. Gildea offered the following concurrent resolution:

Resolved by the Assembly, the Senate concurring, That the Legislature adjourn *sine die* on Saturday week.

Mr. Henley of Sonoma moved to lay the resolution on the table.

On which the ayes and noes were demanded by Messrs. Haile, York and Naphtaly, and the motion prevailed, by the following vote:

AYES—Messrs. Andrews, Appling, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Doss, Eichelroth, Fortune, Freeman, Fryer, Green, Griswold, Haile, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Inman, Johnson, Kelley, King, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, Miller of El Dorado, Mooney, O'Connell, Odell, Pool, Rockwell, Shoemaker, Stephens, Thomas and Williams—38

NOES—Messrs. Berry, Biggs, Blankenship, De Haven, Duffy, Gildea, G. R. B. Hayes, Hihn, Hubner, Koutz, McMurry of Trinity, Merritt, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, Power, Romer, Ryan, Sammons, Satter-

white, Scarce, Shores, Slicer, Thurston, Waldron, York and Mr. Speaker
—31

Mr Doss offered the following resolution :

Resolved, That Assembly Bill No 328 be taken from the reports of Committee on Swamp and Overflowed Lands and transferred to the Committee on Commerce and Navigation.

Lost.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER, }
March 15th, 1870. }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on March twelfth, passed Senate Bill No 258—An Act to make, open and establish a public street in the City and County of San Francisco, to be called Montgomery Street South, and take private lands therefor

MARDIS,
Assistant Secretary.

SENATE CHAMBER, }
March 15th, 1870. }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on this day, refused to recede from its amendment to substitute for Assembly Bill No. 429.

MARDIS,
Assistant Secretary.

SENATE CHAMBER, }
March 16th, 1870. }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on the fifteenth day of March, passed Assembly Bill No 520—An Act fixing the times at which the Board of Supervisors of the County of San Joaquin shall hold their regular sessions.

Also, Assembly Bill No 510—An Act to amend an Act entitled an Act to incorporate the City of Sacramento

Also, Assembly Bill No. 363—An Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo

Also, Assembly Bill No. 143—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State

Also, Assembly Bill No 350—An Act authorizing the condemnation of private property within the limits of the public streets of the City and County of San Francisco, within the Laguna survey.

Also, Assembly Bill No 177—An Act to establish and define the powers and duties of the Board of Education of the City of Vallejo.

Also, Assembly Bill No. 324—An Act concerning estrays and animals found running at large in the County of Santa Cruz

Also, Assembly Bill No. 565—An Act to authorize the payment of certain claims against Redwood Township, in the County of San Mateo.

Also, Senate Bill No. 125—An Act for the encouragement of agriculture and the invention and construction of a locomotive steam plough.

Also, Senate Bill No. 469—An Act authorizing the publication of certain legal notices in a State paper printed at the seat of Government of the State of California.

Also, Senate Bill No. 495—An Act to provide for the erection of a jail in the County of San Diego

Also, Senate Bill No. 471—An Act to amend an Act to authorize the establishment of County Infirmaries for the relief of the indigent, and to amend an Act entitled an Act to provide for the indigent sick in the counties of this State, approved March thirty-first, eighteen hundred and fifty-five, approved April eighteenth, eighteen hundred and sixty.

Also, Senate Bill No. 523—An Act to authorize the Controller and Treasurer of State to transfer certain funds

Also, Senate Bill No. 311—An Act to prevent the destruction of timber on the sixteenth and thirty-sixth sections reserved for school purposes, and on agricultural college lands

Also, Assembly Bill No. 597—An Act to regulate the drawing of warrants on the Treasurer of Shasta County.

Also, Assembly Bill No. 598—An Act authorizing the Board of Supervisors of the County of Santa Clara to pay to the Sheriff of said county certain moneys therein named.

Also, Assembly Bill No. 369—An Act for the relief of Amos Roberts, Sheriff of Solano County

Also, Assembly Concurrent Resolution No. 31—Relative to the establishment of a mail route from Calistoga to Kelsey, Napa County.

Also, Assembly Concurrent Resolution No. 50—Relative to the payment of money to John H. Kealy.

Also, Senate Concurrent Resolution No. 47—Relative to granting leave of absence to W. B. C. Brown, County Clerk of Sacramento County, and F. R. Dray, Assessor of said county

Also, Senate Concurrent Resolution No. 48—Relative to authorizing Enrolling Clerk to correct Senate Bill No. 221

Also, Senate Concurrent Resolution No. 49—Relative to returning to the Senate, Senate Bill No. 83.

Also, Senate Bill No. 538—An Act to authorize the Counties of Tehama and Colusa to aid in the construction of the railroad proposed to be built by the Benicia and Red Bluff Railroad Company.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 16th, 1870 }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, appointed a Committee of Conference on Senate Bill No. 280—An Act amendatory and supplemental to an Act entitled an Act to authorize the Judges of the Supreme Court to employ a Secretary.

Also, return Assembly Bill No. 209—An Act to authorize the Auditor of Butte County to issue a warrant to W. L. Reese—and respectfully ask the Assembly to concur in the amendment.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 258, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 538, above reported, read first and second times and referred to the delegations named in the bill

Senate Bill No. 311, above reported, read first and second times and referred to the Committee on Education.

Senate Bill No. 523, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Bill No. 495, above reported, read first and second times and referred to the San Diego delegation.

Senate Bill No. 469, above reported, read first and second times and referred to the Committee on Printing.

Senate Bill No. 125, above reported, read first and second times and ordered on file.

Senate Bill No. 149, above reported, corrected as per request.

Senate Concurrent Resolution No. 48, above reported, read first and second times and concurred in

Senate Concurrent Resolution No. 49, above reported, read first and second times and concurred in.

Senate Concurrent Resolution No. 47, above reported, read first and second times and ordered on file.

Senate Bill No. 471, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved

Assembly Bill No. 209, above reported, Senate amendments concurred in

Assembly Bill No. 598, above reported, Senate amendments concurred in.

Assembly Bill No. 324, above reported, the House refused to concur in Senate amendments.

Assembly Bill No. 143, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 429, above reported, with a Senate substitute

Mr. Duffy moved that a Committee of Free Conference be appointed Carried.

The Speaker appointed as such committee, Messrs. Martin of Siskiyou, Horan, and Brown of Amador.

At half-past one o'clock P. M. the House took up special order—Assembly Bill No. 214.

On motion of Mr. Ryan, the special order was postponed to Friday, the eighteenth instant, at the same hour.

Mr. Rockwell, by leave, made a report upon the subject of an Assembly resolution instructing the Committee on Commerce and Navigation to inquire into the expediency of setting aside a portion of the State's tide lands in San Francisco, for carrying out a system by which California products may be shipped free of port charges.

[For report, see Appendix.]

The report was ordered printed.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Duffy—An Act to investigate the affairs of certain late officers of the County of Sacramento

Read first and second times and ordered on general file

By the Committee on Commerce and Navigation—An Act to promote the farming interests of this State and to provide for the exportation of California produce free of port charges.

Read first and second times and placed on the general file, and ordered printed

By Mr. Eichelroth—An Act to amend an Act entitled an Act to reincorporate the City of Sonora, approved April tenth, eighteen hundred and sixty-two.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed ; title approved

By Mr. Biggs—An Act concerning the revenue

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed ; title approved.

By Mr. Miller of El Dorado—An Act to appropriate money to pay the outstanding Indian war bonds issued by the State of California, May third, eighteen hundred and fifty-two

Read first and second times and referred to the Committee on Indian Affairs.

By Mr. McClaskey—An Act amendatory of and supplementary to an Act for the protection of game, approved May thirteenth, eighteen hundred and fifty-four, and April seventeenth, eighteen hundred and sixty-one

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

REPORT.

Mr. Newell, from the Committee on Engrossment, made the following report :

MR SPEAKER : Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 392—An Act to authorize the Board of Supervisors of Kern County to issue certain bonds for road purposes

Also, Assembly Bill No 345—An Act to authorize the San Diego and Gila Southern Pacific and Atlantic Railroad Company, and its assigns, to construct, maintain and use a wharf or wharves in front of pueblo lots numbers one thousand one hundred and sixty-three and one thousand one hundred and sixty-four, at South San Diego, in the County of San Diego.

Also, Assembly Bill No 411—An Act to alter and the better to define the corporate limits of the Town of Santa Rosa in the County of Sonoma.

Also, Assembly Bill No 406—An Act to determine the lines and grades of streets, avenues, highways and lanes in the City and County of San Francisco.

NEWELL, of Committee

INTRODUCTION OF BILLS CONTINUED.

By Mr. Hihn—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed ; title approved.

By Mr. Murphy of Santa Clara—An Act to pay the claims of McNal and Hawkins.

Read first and second times and referred to the Committee on Claims

Also, an Act authorizing the County Treasurer of the County of Santa Clara to pay certain claims against said county.

Read first and second times and ordered on general file

By Mr. Henley of Sonoma—An Act concerning the fees of Public Administrators in the several counties of this State

Read first and second times and referred to the Committee on Fees and Salaries.

By Mr. Naphtaly (by request)—An Act entitled an Act to amend an Act entitled an Act authorizing Robert Betgo and others to lay down and maintain a railroad in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight

Read first and second times and referred to the Committee on Railroads

By Mr. Brown of Amador—An Act granting leave of absence from the State to Henry L. Waldo, District Attorney of Amador County

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

Mr. Merritt, from the Committee on Counties and County Boundaries, by leave, made the following report:

MR. SPEAKER: The Committee on Counties and County Boundaries, to whom was referred Assembly Bill No 599—An Act to confer additional powers on the Board of Supervisors of Mono County; also, Assembly Bill No 602—An Act to define and establish the boundary line between the Counties of Inyo and Mono—respectfully report that they have had the said bills under consideration, and herewith report the same back and recommend their passage

MERRITT, Chairman.

SPECIAL ORDER.

Mr G. R. B. Hayes moved to discharge the special order set for two o'clock to-day—being the motion to reconsider the vote on Assembly Bill No. 380.

Carried

When the vote by which the bill failed to pass was reconsidered and the bill taken up.

Mr. Mooney moved the previous question.

Sustained.

The Clerk was directed to call the roll on the question, "Shall the bill now pass?"

During the voting the hour of recess arrived.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

Assembly Bill No. 380 resumed.

The bill passed, by the following vote:

AYES—Messrs. Appling, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Crigler, De Haven, Doss, Duffy, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Johnson, Kelley, King, Lambert, Martin of Butte, McClaskey, McMillan, McMurry of El Dorado, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Scarce, Shoemaker, Shores, Stephens, Thomas, Thurston, Walden, Williams, York, Young and Mr. Speaker—64.

NOES—Messrs. Andrews, Finney, Haile, Inman, Koutz, Lewelling, Martin of Siskiyou, McMurry of Trinity, Power, Sammons, Slicer and Waldron—12.

Mr. Stephens, by leave, introduced a bill for an Act amendatory and supplementary to an Act, approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

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

Mr. Fortune, from the Committee on Ways and Means, by leave, made the following report:

MR. SPEAKER: The Committee on Ways and Means have had under consideration the subject of establishing a State Labor and Employment Exchange, and herewith report to the House a bill for that purpose and providing for its government and support

FORTUNE, for Committee.

Mr. Lambert gave notice that he would submit a minority report in reference to the bill above reported, and other bills reported from the Committee on Ways and Means.

GENERAL FILE

Assembly Bill No. 205.

Ordered to the top of the file for Monday next.

SENATE MESSAGES.

• On motion of Mr. McMurry of Trinity, the rules were suspended to take up the following Senate messages:

SENATE CHAMBER,
March 17th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, appointed as a Committee of Conference on the disagreeing vote on Concurrent Resolution No. 6—Relative to mining affairs—Senators Farley, Gwin and Roberts

And also appointed, as a Committee of Conference on Senate Bill No 280. Senators Pendegast, Gwin and Turner

Also, appointed, as a Committee of Conference on Sacramento street railroad bill, Senators Curtis, Burnett and Larkin

CURTIS,
Assistant Secretary.

SENATE CHAMBER,
March 16th, 1870. }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on this day, amended and passed Assembly Bill No 57—An Act to establish a quarantine for the Bay and Harbor of San Francisco and sanitary regulations for the City and County of San Francisco.

CURTIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

The Speaker appointed, as a Committee of Conference on Senate Bill No. 280, Messrs. Andrews, G. R. B. Hayes, Williams, and Henley of Sonoma.

Assembly Bill No 57, above reported, Senate amendment to section one concurred in.

On concurring in the Senate amendment to section eighteen, the ayes and noes were demanded by Messrs. Murphy of Del Norte, Satterwhite and Thomas, and the House concurred, by the following vote :

AYES—Messrs Andrews, Berry, Blankenship, Brown of Yuba, Calderwood, Carothers, Crigler, De Haven, Doss, Duffy, Eichelroth, Finney, Fryer, Gildea, M Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, Inman, Johnson, King, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, Merritt, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Oates, Odell, Power, Rockwell, Sammons, Shoemaker, Shores, Slicer, Thomas, Thurston, Walden, Waldron, Williams, York, Young and Mr. Speaker—50

NOES—Messrs Appling, Fortune, Freeman, Green, Griswold, Haile, Horan, McMillan, Miller of El Dorado, Mooney, Murphy of Del Norte and Klamath, Newell, O'Connell, Pool, Scarce and Stephens—16.

Mr. Doss gave notice that on to-morrow he would move to reconsider the vote just taken

Mr. Henley of Mendocino, by leave, submitted a communication from Charles L. Capp, in reference to being required to testify before the Committee of Investigation.

The communication was read and referred to said committee.

Mr. Martin of Siskiyou moved that Mr. Capp be required to answer the questions he desired to be relieved from.

Carried

Mr. Satterwhite moved that the Speaker appoint a member of the Judiciary Committee to act as attorney for the committee

Carried.

Whereupon the Speaker appointed Mr Naphtaly as such attorney.

SPECIAL ORDER.

At two o'clock P. M. the House took up the special order: Assembly Bill No 265—An Act to fix the rates of fares and freights on railroads, and other matters relating thereto.

Mr. Gildea offered an amendment to section one

Adopted

Mr. Henley of Sonoma offered a substitute for the bill, which was read

Mr. Gildea rose to a point of order, stating the proposed substitute could not properly be adopted as a substitute for the bill now under consideration, under rule fifty-three

Overruled

Mr. Gildea appealed from the decision of the Chair.

Upon the question of appeal, the ayes and noes were demanded by Messrs. Gildea, Andrews and Power, and the Chair was sustained, by the following vote :

AYES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Doss, Duffy, Eichelroth, Finney, Freeman, Green, Griswold, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Inman, Johnson, King, Koutz, Lambert, Lewelling, Martin of Butte, McClaskey, McMurry of El Dorado, Merritt, Mooney, Munday, Oates, Pool, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Thurston, Walden, Williams, York and Young—43.

NOES—Messrs. Andrews, Berry, Calderwood, Martin of Siskiyou, Miller of El Dorado, Newell, Power, Sammons, Slicer, Stephens, Thomas and Waldron—12

Mr. Gildea moved to place the bill at the top of the file for Friday.

Mr. Henley of Sonoma moved the previous question

On which the ayes and noes were demanded by Messrs. Gildea, Slicer and Walden, and the main question was ordered, by the following vote :

AYES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Duffy, Eichelroth, Finney, Fryer, Griswold, Hawley, Henley of Sonoma, Horan, Inman, Kelley, King, Lambert, Lewelling, McClaskey, Merritt, Mooney, Murphy of Del Norte and Klamath, Power, Romer, Sammons, Satterwhite, Scarce, Shoemaker, Walden, Williams, York, Young and Mr. Speaker—34

NOES—Messrs. Andrews, Berry, Carothers, Doss, Fortune, Freeman, Gildea, Green, M. Hayes, Hihn, Hubner, Koutz, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of El Dorado, Miller of El Dorado, Miller of Marin, Munday, Newell, Oates, Odell, Robinson, Shores, Slicer, Stephens, Thomas, Thurston and Waldron—29.

On placing the bill at the top of the file for Friday, the ayes and noes were demanded by the requisite number, and the House refused, by the following vote :

AYES—Messrs. Andrews, Berry, Freeman, Gildea, G. R. B. Hayes, M. Hayes, Hudson, Kelley, Koutz, Martin of Siskiyou, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Newell, Oates, Power, Robinson, Scarce, Shores, Slicer, Stephens, Thomas and Thurston—23.

NOES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Doss, Eichelroth, Finney, Fortune, Fryer, Green, Griswold, Hawley, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Inman, King, Lambert, Lewelling, Martin of Butte, McClaskey, Merritt, Miller of Marin, Mooney, Munday,

Murphy of Del Norte and Klamath, Naphtaly, Pool, Rockwell, Romer, Sammons, Satterwhite, Shoemaker, Walden, Waldron, Williams, York, Young and Mr. Speaker—43.

On adopting the substitute offered by Mr. Henley, the ayes and noes were demanded by Messrs Gildea, Slicer and Berry, and it was adopted, by the following vote:

AYES—Messrs Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Duffy, Eichelroth, Finney, Fortune, Freeman, Fryer, Griswold, Hawley, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Inman, King, Lambert, Lewelling, Martin of Butte, McClaskey, Merritt, Miller of Marin, Mooney, Murphy of Del Norte and Klamath, Naphtaly, Oates, Pool, Rockwell, Romer, Satterwhite, Shoemaker, Shores, Walden, Williams, York, Young and Mr Speaker—42.

NOES—Messrs Andrews, Berry, Calderwood, Gildea, M Hayes, Hudson, Kelley, Koutz, Martin of Siskiyou, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Newell, Power, Robinson, Sammons, Slicer, Stephens, Thomas, Thurston and Waldron—22.

The bill was ordered engrossed.

Mr Haile, by leave, introduced a bill for an Act to establish and support a State Normal School

Read first and second times and ordered on the general file

At five o'clock P. M., on motion of Mr. Murphy of Del Norte, the House adjourned

EVENING SESSION

At seven o'clock P. M. the House reassembled.

Speaker in the chair

Roll called.

Quorum present

SPECIAL FILE.

Senate Bill No 189—An Act for the relief of Robert M. Folger.

Read a third time and passed; title approved.

Senate Bill No 577—An Act to create a Redemption Fund and to provide means for defraying the expenses of the County of El Dorado.

Read a third time and passed; title approved.

SENATE MESSAGES

The rules were suspended, on motion of Mr. Rockwell, to take up the following Senate messages:

SENATE CHAMBER, }
March 16th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, passed Senate Bill No. 183—An Act in relation to the office of State Geologist.

And, on this day, adopted Assembly Concurrent Resolution No. 54—Requesting the Governor to return Assembly Bill No. 77 for correcting an error.

Also, on this day, adopted Senate Concurrent Resolution No. 51—Relative to correcting an error in the enrolled copy of Senate Bill No. 83.

CURTIS,
Assistant Secretary.

SENATE CHAMBER.

March 16th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, under suspension of the rules, passed substitute for Senate Bill No. 82—An Act amendatory of and supplemental to an Act legalizing ordinance eight hundred, as passed by the Board of Supervisors of the City and County of San Francisco

Also, on this day, under suspension of the rules, passed substitute for Assembly Bill No. 423—An Act reorganizing the Board of Supervisors of Marin County and redistricting said county.

CURTIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Substitute for Senate Bill No. 183, above reported, read first and second times and ordered on file.

Senate Concurrent Resolution No. 51 concurred in.

SPECIAL FILE RESUMED

Assembly Bill No. 607—An Act amendatory of and supplementary to an Act entitled an Act to reincorporate the City of Sonora

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Senate Bill No. 240—An Act granting the North Beach and Mission Railroad Company certain rights therein named.

Amendments adopted.

Read a third time and passed; title approved.

Senate Bill No. 361—An Act to improve the navigation of King's River.

Ordered to the special file for Monday next

Senate Bill No. 294—An Act to modify the grades of certain streets in the City and County of San Francisco.

Read a third time and passed; title approved

Senate Bill No. 491—An Act to authorize Samuel M. Sproul, George F. Jones, Charles L. Stilson and James A. Clark, to construct and maintain water works in the Town of Chico.

Read a third time and passed; title approved

Assembly Bill No. 367—An Act for the supply of pure water from Lake Bigler to the inhabitants of the City and County of San Francisco.

Substitute adopted

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Senate Bill No. 246—An Act to legalize certain county warrants in the County of Tuolumne.

Read a third time and passed; title approved.

Senate Bill No. 353—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of San Luis Obispo

Read a third time and passed; title approved.

REPORTS.

Mr. Fortune, from the San Francisco delegation, made the following report:

Mr. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 575—An Act to authorize certain parties to introduce water into the City and County of San Francisco—have had the same under consideration, and, by leave, report the same back and recommend its passage.

FORTUNE,
O'CONNELL,
ROCKWELL,
NAPHTALY,
RYAN,
ROMER,
G. R. B. HAYES.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No 510—An Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, A. D. eighteen hundred and sixty-three.

And this day, at twelve o'clock and twenty minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

SPECIAL FILE RESUMED

Assembly Bill No. 377—An Act supplementary to an Act entitled an Act concerning the Harbormaster of the port of San Francisco, approved March twenty-sixth, eighteen hundred and fifty-seven

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 139—An Act to amend an Act entitled an Act to authorize the establishment of a steam ferry between Vallejo and Mare Island, in the County of Solano, approved March second, eighteen hundred and sixty-six.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No 365—An Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 416

Passed on the file.

Assembly Bill No. 47.

Passed on the file

Assembly Bill No. 45

Passed on the file.

Assembly Bill No. 100.

Passed on the file.

Assembly Bill No. 219—An Act to ratify certain acts and ordinances of the Mayor and Common Council of the City of Los Angeles.

The House refused to adopt a substitute for the bill.

Bill amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 536—An Act to establish a Municipal Court in the City and County of San Francisco, to be called the Municipal Criminal Court of the city and county

Amended and amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 516—An Act granting leave of absence to J. P. Moffat, County Clerk of Inyo County.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 521—An Act granting leave of absence to N. D. Witt, District Attorney of San Luis Obispo County.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 522—An Act granting leave of absence to Arza Porter, Sheriff of Santa Barbara County.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Concurrent Resolution No. 41—Granting leave of absence to J. W. Graham, Treasurer of Del Norte County

Amended.

Rules suspended, resolution considered engrossed, read a third time and passed; title approved

Assembly Bill No. 390—An Act to authorize the Board of Supervisors of Solano County, on certain conditions herein named, to grant wharf franchises and to regulate the charges thereon.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 507—An Act to authorize the Board of Supervisors of Merced County to levy a tax for road purposes and to direct the application thereof

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 310—An Act to establish a morgue for the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 493—An Act to amend section nine of an Act entitled an Act to amend an Act entitled an Act amendatory of article four of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six, repealing sections thirty-six to sixty-four, inclusive, and Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for section four of said Act, approved April twenty-fifth, eighteen hundred and sixty-two, March twenty-sixth, eighteen hundred and sixty-eight

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 270

Passed on the file

Assembly Bill No. 337

Passed on the file.

Assembly Bill No. 361—An Act for the relief of T. D. Murphy et al
Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No 282—An Act concerning certain ordinances of the Board of Supervisors of the City and County of San Francisco, and other matters

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 487—An Act to aid in the construction of a wagon road from Round Valley, in Mendocino County, to Hydesville, in Humboldt County.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No 478—An Act to define and establish the line and width of East street, between Market street and Clay street wharf, in the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No 509—An Act authorizing the construction of a wagon toll road from or near the ranch of R Nichols, on the Fresno River, Fresno County, to the Mammoth Tree Grove, and from thence to intersect the Yosemite trail, near Clark's mill, in Mariposa County.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 534—An Act to authorize the Board of Supervisors of Humboldt County to transfer money from the Building Fund to the Road Fund

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No 553—An Act to ratify and confirm the corporate acts of the Salinas and Pajaro Turnpike Road Company

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No. 430—An Act to submit the question of the removal of the county seat of Kern County to the qualified voters thereof

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No 229—An Act to legalize the survey of Clark's addition to the Town of Eureka

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Bill No 440.

Passed on the file.

Assembly Bill No 426

Passed on the file.

Assembly Bill No 519

Passed on the file.

Assembly Bill No 453

Passed on the file

Assembly Bill No 554

Passed on the file

Assembly Bill No 167—An Act to amend an Act entitled an Act to incorporate the City of Vallejo.

Substitute adopted.

Amended and amendment adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 424—An Act to authorize the Board of Trustees of the City of Benicia to subscribe to the capital stock of a railroad and to issue bonds in payment thereof, and other matters relating thereto.

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 546—An Act for assessing and collecting revenue in the Town of San Buenaventura and approving all ordinances and proceedings of the Town Trustees.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 362—An Act to regulate the distribution of the Police Fund of the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 462—An Act to provide for the changing of the grades of certain streets in the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 542—An Act for the relief of A. J. Younger.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 386—An Act to authorize the Board of Supervisors of the City and County of San Francisco to order paid a certain claim.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 425—An Act to direct the Treasurer and Auditor of Solano County to transfer certain moneys from the Swamp Land Fund and the Redemption Fund of Solano County to the Interest and Redemption Fund.

Mr. Haile offered a substitute.

Adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 558—An Act to provide for the construction of a street railroad in the City and County of San Francisco.

Amended and amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 517—An Act to provide for a charter of the City and County of San Francisco.

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 473.

Passed on the file.

Assembly Bill No. 550.

Passed on the file.

Assembly Bill No. 560—An Act to adjust and pay losses sustained by John Nugent.

Amendments adopted.

Mr. Naphtaly offered an amendment.

Adopted

Ordered engrossed

Assembly Bill No. 559

Withdrawn by the author

Assembly Bill No. 530.

Withdrawn by the author

At ten o'clock P M, on motion of Mr Murphy of Del Norte, the House adjourned

GEO. H. ROGERS,
Speaker

ROBT. FERRAL, Chief Clerk

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, March 17th, 1870. }

House met pursuant to adjournment, at seven o'clock P M.

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Rev. Mr Gober.

Journal of yesterday read and approved.

Mr. M. Hayes was granted indefinite leave of absence, and all the absentees were excused for the evening session.

SPECIAL FILE.

Senate Bill No. 485—An Act concerning roads and highways in Sierra Township, Sierra County.

Read a third time and passed; title approved.

REPORTS

Mr. Fortune, from the San Francisco delegation, by leave, made the following report:

MR. SPEAKER: The San Francisco delegation, to whom was referred substitute for Senate Bill No 11—An Act to grant to certain parties the right of way for a railroad track within the corporate limits of the City and County of San Francisco and run horse cars thereon—have had the same under consideration, and herewith report it back and recommend its passage as amended.

Also, Senate Bill No. 258—An Act to make, open and establish a public street in the City and County of San Francisco, to be called Montgomery Street South, and to take private lands therefor—and recommend its passage as amended.

Also, Assembly Bill No. 583—An Act to provide for the erection of a City Hall in the City and County of San Francisco—and recommend its passage as amended.

FORTUNE, for Delegation.

Mr. Blankenship, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 478—An Act to define and establish the line and width of East street, between Market street and Clay street wharf, in the City and County of San Francisco.

Also, Assembly Bill No. 483—An Act to amend section nine of an Act entitled an Act to amend an Act entitled an Act amendatory of article four of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco and to consolidate the government thereof, approved April nineteenth, eighteen hundred and sixty-six, repealing sections thirty-six to sixty-four, inclusive, and Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said article four, approved April twenty-fifth, eighteen hundred and sixty-two, approved March twenty-sixth, eighteen hundred and sixty-eight.

Also, substitute for Assembly Bill No. 367—An Act for the supply of pure water from Lake Bigler to the inhabitants of the City and County of San Francisco.

Also, Assembly Bill No. 558—An Act to provide for the construction of a street railroad within the City and County of San Francisco

Also, Assembly Bill No. 536—An Act to establish a Municipal Court in the City and County of San Francisco to be called the Municipal Criminal Court of the City and County of San Francisco

Also, Assembly Bill No. 491—An Act amendatory of an Act entitled an Act in relation to roads and highways in Sonoma County, to provide for the election of one County Commissioner of Roads and Highways and prescribe his duties, and repeal all other Acts so far as they conflict with the provisions thereof, approved March eighth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 132—An Act to authorize Edward G. Rhodes, his associates and successors and assigns, to build and maintain a wharf at the foot of Yolo avenue, in the City of Vallejo

Also, Assembly Concurrent Resolution No. 14—Asking donation of lands in Siskiyou County

Also, Assembly Bill No. 201—An Act authorizing the construction of a wharf in the County of San Diego

Also, Assembly Bill No. 420—An Act to separate the office of County Recorder from the office of County Clerk of the County of Yuba

Also, Assembly Bill No. 407—An Act to amend an Act supplementary to an Act to incorporate the City of Marysville, approved March third, eighteen hundred and fifty-seven, and other Acts amendatory thereto

Also, Assembly Bill No. 208—An Act to authorize B. T. Osborne, and others, as he may wish to associate with him, to build a wharf in the County of Solano.

Also, Assembly Bill No. 483—An Act for the relief of Anna Virginia Wakeman.

Also, Assembly Bill No. 459—An Act to authorize the Board of Super-

visors of Sutter County to construct a bridge across the tule at or near the point where the Stone road now crosses said tule, and collect toll thereon

Also, Assembly Bill No. 437—Granting the right to construct and maintain a railroad in certain streets therein named in the City and County of San Francisco.

Also, Assembly Bill No. 455—An Act to provide for the location and laying out of a public road from Russian River, in Sonoma County, to the Gualalla River, in Sonoma County.

BLANKENSHIP, for Committee.

Mr. Kelley, by leave, introduced a bill for an Act to authorize and require the Board of Supervisors of Yolo County to approve and certify certain claims against Swamp Land District Number Eighteen.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands

Mr. Stephens, from the Sacramento delegation, by leave, made the following report:

Mr. SPEAKER: We, the undersigned, a majority of the Sacramento delegation, to whom was referred Assembly Bill No. 643—An Act entitled an Act amendatory of and supplementary to an Act, approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento—have had the same under consideration respectfully beg leave to report the bill back and recommend its passage.

FREEMAN,
HORAN,
STEPHENS.

Mr. Thomas, by leave, offered the following concurrent resolution:

Resolved by the Assembly, the Senate concurring, That the Enrolling Clerk of the Assembly is hereby authorized and directed to strike out the word "of," in Assembly Bill No. 598, in section four, and insert in lieu thereof the word "to," in line four of the aforesaid section

Adopted.

On motion of Mr. Stephens, the rules were suspended to take up Assembly Bill No. 643—An Act amendatory of and supplementary to an Act, approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento

Rules further suspended, bill considered engrossed and read a third time

Mr. Duffy moved to recommit, with special instructions to amend, as follows: "The present Chief of Police of the City of Sacramento shall hold office until the expiration of the term for which he was elected"

Lost

Mr. Duffy offered further instructions, as follows: Strike out "two thousand dollars" per annum, as said Chief's salary and insert "eighteen hundred dollars"

Mr. Stephens moved the previous question.

Sustained

The motion to recommit was lost.

On the passage of the bill, the ayes and noes were demanded by Messrs Finney, Duffy and Calderwood, and it passed, by the following vote:

AYES—Messrs Appling, Brown of Yuba, Crigler, Freeman, Fryer, Green, Griswold, Haile, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Kelley, King, Lambert, McClaskey, McMillan, McMurry of El Dorado, Merritt, Miller of El Dorado, Miller of Marin, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, Pool, Robinson, Rockwell, Romer, Scarce, Shoemaker, Stephens, Thomas, Walden, Young and Mr Speaker—37.

NOES—Messrs Andrews, Biggs, Brown of Amador, Calderwood, Carothers De Haven, Doss, Duffy, Eichelroth, Finney, Inman, Koutz, Lewelling, Martin of Butte, McMurry of Trinity, Mooney, Munday, Odell, Power, Sammons, Satterwhite, Slicer, Waldron, Williams and York—25

Title approved. •

SPECIAL FILE CONTINUED.

Senate Bill No. 456—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Redwood City.

Read a third time and passed; title approved

Senate Bill No 454—An Act amendatory to an Act concerning roads and highways in the County of San Mateo.

Read a third time and passed; title approved.

Senate Concurrent Resolution No 47 withdrawn by Mr. Duffy, by consent

REPORTS.

Mr. Naphtaly, from the Judiciary Committee, by leave, made the following report:

MR SPEAKER: In accordance with the instructions of this House, the Judiciary Committee report back Senate Bill No. 153—An Act to equalize taxation among the counties of this State—and as the committee has not had sufficient time to consider and examine said bill, it is reported back without recommendation

The committee also report back Assembly Bill No 436, and as the subject matter of the bill is included in one now before the House, they recommend that the author have leave to withdraw the same

The committee have also considered amendments proposed by the Senate to Assembly Bill No. 143, and recommend that the House concur in the amendments proposed.

They have also considered Senate Bill No 187—An Act for the relief of Caleb Dorsey, District Attorney of Tuolumne County—and recommend its passage.

NAPHTALY, Chairman

Mr. Finney, from the Committee on Engrossment, submitted the following report:

MR SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 560—An Act to adjust and pay losses sustained by John Nugent.

Also, Assembly Bill No. 310—An Act to establish a morgue for the City and County of San Francisco

Also, Assembly Bill No. 497—An Act conferring certain powers upon the Sonoma College Association.

Also, Assembly Bill No. 339—An Act to create a Board of Levee and Street Commissioners in and for the Town of Pacheco, Contra Costa County, and define their powers and duties.

Also, Assembly Bill No. 462—An Act to provide for the changing of the grades of certain streets in the City and County of San Francisco.

Assembly Bill No. 232—An Act granting the right to construct and maintain a public toll bridge across the Colorado River, below the junction of that stream with the Gila River, to certain parties, their associates or assigns, therein named.

Also, Assembly Bill No. 414—An Act to provide for the translation of foreign records in the County of Sonoma and to make such translations evidence of their contents.

Also, Amendment to the Constitution No. 2

Also, Assembly Bill No. 415—An Act to decrease the expenses of land litigation in the City and County of San Francisco

Also, Assembly Bill No. 387—An Act to authorize the Mayor of the City and County of San Francisco to deed a certain lot of land in said city and county to the Trustees of the Associated Veterans of the Mexican War

Also, Assembly Bill No. 229—An Act to legalize the survey of Clark's addition to the Town of Eureka

Also, Assembly Bill No. 266—An Act to authorize Joseph S. Manassee and Marcus Schiller, and their associates, to build, maintain and use a wharf on the southwesterly line of pueblo lot number eleven hundred and fifty-seven, in San Diego, in the County of San Diego

Also, Assembly Bill No. 626—An Act concerning the county records of the County of Santa Clara

Also, Assembly Bill No. 356—An Act for the relief of W. R. Crawford.

Also, Assembly Bill No. 258—An Act authorizing Rodman Gibbons, and his associates and assigns, to construct and operate a street railroad in the County of Alameda.

Also, Assembly Bill No. 248—An Act to authorize the construction of a wharf at Vallejo, Solano County, at the foot of Maryland street

FINNEY, for Committee.

Mr. Lewelling, from the Committee on Engrossment, made the following report :

MR. SPEAKER : Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 294—An Act to authorize and empower Joshua A. Neal to sell and convey all the interest, property and estate of Maria and Josefa Neal, minor children of said Joshua and Bernal Neal, in certain lands in Alameda County.

LEWELLING, for Committee.

Mr. Thomas, from the Santa Clara delegation, made the following report :

MR SPEAKER: The Santa Clara delegation, to whom was referred Assembly Bill No. 600—An Act to authorize the construction of a railroad from tide water near the Town of Alviso, in the County of Santa Clara, to the southern boundary line of said county—have had the same under consideration, and report it back and recommend its passage.

THOMAS, for Delegation

Mr. Duffy, by leave, introduced a bill for an Act granting leave of absence to W. B. C. Brown, County Clerk of the County of Sacramento

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

Also, an Act granting leave of absence to F. R. Dray, County Assessor of the County of Sacramento.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

SPECIAL FILE RESUMED.

Assembly Bill No. 566—An Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 567—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco and upon the Auditor and Treasurer of said city.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 561—An Act to increase the number of Notaries Public in Monterey County.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 564—An Act to confer additional powers upon the Board of Trustees of the Town of Eureka, in the County of Humboldt.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Rockwell moved to suspend the rules, to take up Senate Bill No. 258—An Act to make, open and establish a public street in the City and County of San Francisco, to be called Montgomery Street South, and take private lands therefor.

Carried.

Amendments adopted.

Rules suspended and bill read a third time

On the passage of the bill, the ayes and noes were demanded by Messrs. McMillan, Miller of El Dorado, and Gildea, and it passed, by the following vote:

AYES—Messrs Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Crigler, Doss, Duffy, Eichelroth, Escandon, Finney, Fortune, Freeman, Fryer, Green, Griswold, Haile, Hawley, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, King, Lambert, Lewelling, Martin of Butte, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of Marin, Mooney, Munday, Murphy of Del Norte and Klamath, Naphitaly, Newell, Oates, Odell, Pool, Power, Rock-

well, Romer, Sammons, Satterwhite, Scarce, Shoemaker, Slicer, Stephens, Thomas, Thurston, Walden, Waldron, Williams, York and Young—57.

NOES—Messrs Andrews, Berry, Carothers, Inman, Martin of Siskiyou, McMillan, Miller of El Dorado and Mr. Speaker—8.

Title approved.

On motion of Mr. Thomas, the rules were suspended, to take up Assembly Bill No. 600—An Act to authorize the construction of a railroad from tide water, near the Town of Alviso, in the County of Santa Clara, to the southern boundary line of said county, and to aid in the construction of said road.

Mr. Biggs offered an amendment

Adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Doss, in accordance with previous notice, moved to reconsider Assembly vote on Senate amendment to Assembly Bill No. 57.

The vote was reconsidered, and the bill ordered to the Senate.

Assembly Bill No. 568—An Act to incorporate the Town of Brooklyn, Alameda County.

Substitute for section two adopted

Rules suspended, bill considered engrossed and read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs Lewelling, York and Naphtaly, and it passed, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Crigler, Doss, Duffy, Escandon, Finney, Fortune, Freeman, Fryer, Green, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, Inman, Kelley, King, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Munday, Murphy of Santa Clara, Naphtaly, Newell, Oates, Power, Rockwell, Romer, Sammons, Satterwhite, Scarce, Slicer, Thurston, Waldron, Williams, York, Young and Mr. Speaker—58.

NOES—Mr. Thomas—1

Title amended

Mr. Finney, by leave, introduced a bill for an Act to regulate fees of office and salaries of certain officers in the County of San Luis Obispo

Read first and second times and referred to the San Luis Obispo delegation

Assembly Bill No. 588—An Act concerning roads and highways in the County of Lassen.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 576—An Act to authorize the Treasurer of Lassen County to pay to William Williams a certain sum of money, adjudged to be due him, for erecting the county buildings of said county

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 515—An Act to confer additional powers upon the Board of Trustees of Suisun City, and for other purposes.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 548—An Act to authorize the Saucelito Land and Ferry Company to establish and maintain a public ferry between Marin County and the City and County of San Francisco

Mr. Haile moved an amendment to section three.

Lost.

Mr. Biggs moved to amend section four

Lost

Rules suspended, bill considered engrossed and read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Martin of Siskiyou, Hudson and Doss, and it passed, by the following vote :

AYES—Messrs. Appling, Blankenship, Brown of Yuba, Carothers, Crigler, Doss, Duffy, Eichelroth, Fortune, Freeman, Fryer, Green, Griswold, Hawley, Henley of Mendocino, Inman, Kelley, Lambert, Martin of Butte, McClaskey, McMillan, McMurry of El Dorado, Miller of El Dorado, Miller of Marin, Munday, Murphy of Santa Clara, Naphtaly, Oates, Odell, Pool, Power, Rockwell, Sammons, Satterwhite, Shoemaker, Shores, Stephens, Thomas, Thurston, Walden, Waldron, Williams, York, Young and Mr. Speaker—45.

NOES—Messrs. Andrews, Biggs, Brown of Amador, Finney, Haile, Hudson, Martin of Siskiyou, McMurry of Trinity, Scarce and Slicer—10.

Title approved.

Mr. Griswold, by leave, introduced a bill for an Act entitled an Act to confer further powers on the Mayor of the City and County of San Francisco.

Read first and second times and ordered on the file

Subsequently taken up, rules suspended, bill considered engrossed, read a third time and passed; title approved

Mr. Doss moved to suspend the rules to take up Assembly Bill No. 432

Carried.

At ten o'clock P. M. Mr. McMurry of Trinity moved to adjourn

Lost.

On motion of Mr. Finney, Assembly Bill No. 432 was ordered to the special file for Monday.

REPORTS

Mr. Lewelling, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 639—An Act concerning the revenue

LEWELLING, for Committee.

Mr. Hihn, from the Committee on Fees and Salaries, made the following report:

MR. SPEAKER: The Committee on Fees and Salaries, to whom was referred Assembly Bill No. 632—An Act concerning the fees of Public Administrators in the several counties of this State—beg leave to report the same back and recommend its passage.

HIHN, Chairman.

RESOLUTIONS.

Mr. Henley of Sonoma offered a concurrent resolution, as follows :

Resolved by the Assembly, the Senate concurring, That the Enrolling Committee of the Assembly is authorized and required to insert in Assembly Bill No. 70, at the end of the last line of section one, the following proviso, viz: "*Provided*, that in cases where property has been sold prior to the passage of this Act, the rights of third persons shall not be affected by any such amendment of the assessment roll "

Adopted

Mr Thurston offered the following resolution :

Resolved, That the delegations to whom was referred Assembly Bill No. 556, be instructed to report the bill back on to-morrow, March eighteenth, eighteen hundred and seventy

Adopted.

SPECIAL FILE CONTINUED.

Assembly Bill No 609—An Act to legalize and provide for the collection of delinquent taxes in the County of Yolo, etc.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

At ten o'clock and ten minutes p. m , on motion of Mr. Oates, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, March 18th, 1870. }

House met pursuant to adjournment.

Speaker in the chair

Roll called.

Quorum present

Prayer by the Rev. Mr. Gober.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr Rockwell, from the Committee on Printing, made the following report :

MR. SPEAKER: The Committee on Printing have had under consideration Senate Bill No. 469—An Act authorizing the publication of certain legal notices in a State paper, printed at the seat of Government of the

State of California The majority of the committee believing the object of the bill to be a good one, have amended it in some particulars, and recommend its passage as amended

Also, have considered Assembly Bill No 573—An Act concerning the State Printer—and the majority recommend its indefinite postponement.

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ROCKWELL, Chairman.

Mr Andrews, from the Committee on Mines and Mining Interests, made the following report:

Mr. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Senate Bill No 441—An Act to authorize the incorporation of canal companies and to provide for the construction of canals and ditches—have had the same under consideration, and report the same back and recommend its passage.

Your committee have also had under consideration Assembly Bill No. 572—An Act to encourage tin mining in this State—and report the same back with a substitute, and recommend the passage of the substitute.

ANDREWS, Chairman.

Mr. Horan, from the Committee on Claims, made the following reports:

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Mr. SPEAKER: Your committee, to whom was referred Assembly Bill No. 354—An Act to authorize the Treasurer of the City and County of San Francisco to pay James H. Clark the sum of four hundred and eighty dollars—report the same back and recommend that it be referred to the San Francisco delegation.

Also, Assembly Bill No 528—An Act for the relief of Thomas E. Hughes—report the same back and recommend that it be referred to the Stanislaus and Merced delegation.

HORAN, Chairman

Mr. SPEAKER: Your committee, to whom was referred Senate Bill No. 513—An Act to pay for services rendered in the office of the Surveyor-General—having considered the same, report said bill back and recommend the passage of the same

Also, Senate Bill No. 202—An Act to authorize the payment of the claim of Mrs. Eliza McLane, for supplies furnished the State Marine Hospital in the years eighteen hundred and fifty-three and eighteen hundred and fifty-four—having investigated the same, report said bill back and recommend that it do pass

HORAN, Chairman.

Mr. King, from the Committee on Corporations, made the following report:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No 338—An Act to amend an Act entitled an Act to provide for the incorporation of mutual insurance companies, for the insurance of life and health and against accidents, approved April second, eighteen hundred and sixty-six—have had the same under consideration and report it back, recommending its passage.

Also, Senate Bill No. 6—An Act concerning foreign corporations—and report it back, recommending its passage.

Also, Assembly Bill No 591—An Act to incorporate the Town of Hornitos—and report it back without recommendation.

KING, Chairman

REPORTS OF SPECIAL COMMITTEES.

Mr. Escandon, from the San Luis Obispo delegation, made the following report:

MR. SPEAKER: The San Luis Obispo delegation, to whom was referred Assembly Bill No. 645, have had the same under consideration and respectfully report it back, and recommend its passage.

ESCANDON, for Delegation.

Mr Hubner, from the San Joaquin delegation, made the following report:

MR. SPEAKER: The San Joaquin delegation, to whom was referred Senate Bill No 57—An Act to authorize H. S. Sargent and others to lay down and maintain a railroad in the City of Stockton—report the same back, recommending its passage.

HUBNER,
THURSTON,
For Delegation.

SENATE MESSAGES

The following messages were received from the Senate:

SENATE CHAMBER, }
March 17th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, adopted a resolution requesting the Assembly to return to the Senate, Assembly Bill No. 57—An Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary regulations for the City and County of San Francisco—for the purpose of correcting a clerical error.

ROBERTS,
Secretary.

SENATE CHAMBER, }
March 18th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on the sixteenth instant, passed Senate concurrent resolution, relative to granting leave of absence to Thomas Laspeyre, District Attorney of Kern County

Also, Assembly Bill No. 374—An Act to encourage iron mining.

Also, Assembly Bill No 445—An Act concerning roads and highways in the County of Sutter

Also, Assembly Concurrent Resolution No 48—Granting leave of absence to A. Maurice, Jr, District Attorney of Butte County.

Also, Assembly Bill No. 345—An Act to authorize the San Diego and Gila Southern Pacific and Atlantic Railroad Company, and its assigns, to construct and use wharf, etc

Also, Assembly Bill No. 231—An Act to district the County of San Diego, and to provide for the election of Supervisors

Also, Assembly Bill No. 224—Senate adhered to its amendment, and appointed as a committee on part of Senate, Messrs McDougall, Mandeville and Tweed

Also, Senate Bill No. 582—An Act to provide for the maintenance of the indigent sick in certain townships therein named in Siskiyou County

Also, Senate Bill No. 585—An Act concerning the office of County Clerk of Napa County

Also, passed Senate Bill No. 588—An Act to authorize the Board of Supervisors of Yolo County to retain counsel to prosecute or defend proceedings in relation to claims against Swamp Land District Number Eighteen

Also, Senate Bill No. 590—An Act to provide for the election of a Board of Supervisors in the County of San Luis Obispo, and fix their term of office

Also, Senate Bill No. 241—An Act supplementary to an Act entitled an Act defining the times for commencing civil actions

Also, Senate Concurrent Resolution No. 46—Relative to requesting the Postmaster-General to establish Post-offices on the road from Red Bluff to Strawberry Valley.

Also, on the seventeenth instant, passed substitute for Assembly Bills Nos 29 and 39—An Act to establish a Board of Police Commissioners for the City and County of San Francisco, and to define their powers and duties.

Also, Senate Bill No. 568—An Act to reincorporate the City of Stockton.

Also, concurred in Assembly amendments to Senate Bill No. 240

Also, concurred in Assembly amendments to Senate Bill No. 258.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 585, above reported, read first and second times and referred to the Napa delegation

Senate Bill No. 588, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands

Senate Bill No. 241, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 590, above reported, read first and second times and referred to the San Luis Obispo delegation

Senate Bill No. 568, above reported, read first and second times and referred to the San Joaquin delegation.

Senate Concurrent Resolution No. 53, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 582, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Senate Concurrent Resolution No. 46, above reported, read first and second times and referred to the Tehama and Siskiyou delegation.

Assembly Bill No. 324, above reported.

On motion of Mr. Lambert, the Speaker appointed, as a Committee of Free Conference to consider the disagreement on amendments, Messrs Hihn, Satterwhite and Lambert

Mr Lambert moved to suspend the rules to take up Senate Bill No. 183.

Carried.

The bill was ordered at the top of the general file for to-morrow

REPORTS.

Mr. Martin of Butte, from the Judiciary Committee, by leave, made the following report :

MR SPEAKER: The Judiciary Committee, to whom was referred Senate Bill No. 474—An Act to authorize Frank Bartholomew and Ralph G. Bartholomew, heirs of Jacob Bartholomew, to sell real estate of said minors at public or private sale—report the same back and recommend its passage.

MARTIN (of Butte), Chairman

On motion of Mr. Martin of Butte, the rules were suspended and the above reported bill taken up

Read a third time and passed; title approved

Mr. King, by leave, made the following report :

MR SPEAKER: Your committee, appointed in conformity with resolution of this House, to consult with the family of the late Hon James B Smith, of Fresno County, upon the subject matter of respect to the memory of deceased, have finally been able to interchange communications with them, and in accordance therewith your committee, exercising their best judgment, have made an estimate of the cost of a plain marble monument, with appropriate inscription engraved thereon, to be placed at the head of the grave, together with a substantial iron railing to inclose the same, together with the cost of transportation and putting up, will be about five hundred dollars; and, with a view of meeting this expense, your committee herewith report a bill making appropriation for that purpose, and recommend the passage of the same.

KING,
APPLING.
RYAN,
Committee

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr King—An Act to appropriate money for the purpose of properly inclosing the grave of the late Hon. James B. Smith and to erect a monument to his memory

Read first and second times

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY.

Reported back and passage recommended.

Rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed ; title approved.

By Mr. Inman—An Act to divide the City of Oakland into wards and to provide for the holding of elections therein

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed ; title approved.

By Mr. Miller of Marin—An Act to authorize the Board of Supervisors of Marin County to transfer certain funds.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent read a third time and passed ; title approved.

By Mr. Blankenship—An Act to encourage the destruction of squirrels, gophers and other wild animals in the Counties of Santa Clara and Monterey, and to create a bounty therefor

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent read a third time and passed ; title approved

By Mr. Brown of Yuba—An Act to secure a lien on live stock kept, fed or pastured by ranch men and stable keepers

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

By Mr. Carothers—An Act to authorize the Assessor of Contra Costa County to employ a deputy

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed ; title approved.

Mr. Walden, by leave, made the following report :

MR. SPEAKER: Your committee, to whom was referred Senate Concurrent Resolution No. 13—Relative to mail route in Merced County—report the same back with amendment and recommend its passage as amended

WALDEN, for Delegation

On motion of Mr. Walden, the rules were suspended and the above reported resolution taken up.

Amendments adopted

Read a third time and passed ; title approved

On motion of Mr. Hihn, the rules were suspended and Assembly Bill No. 519—An Act to grant certain salt marsh and tide lands to the inhabitants of the Town of Santa Cruz—was taken up

On motion of Mr. Murphy of Santa Clara, the special order set for eleven o'clock A. M. to-day, being Assembly Bill No. 370, was temporarily laid on the table.

Mr. Rockwell moved to refer Assembly Bill No. 519 to the Committee on Commerce and Navigation

On which the ayes and noes were demanded by Messrs. Haile, Martin of Siskiyou and Sammons, and the House refused, by the following vote :

AYES—Messrs. Appling, Biggs, Calderwood, Crigler, Finney, Haile, Henley of Mendocino, Hudson, Kelley, King, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, Miller of El Dorado, Munday, Power, Rockwell, Sammons and Scarce—19.

NOES—Messrs. Andrews, Berry Blankenship, Brown of Amador, Carothers, Doss, Eichelroth, Hihn, Johnson, Koutz, McClaskey, McMurry of Trinity, Merritt, Miller of Marin, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Robinson, Satterwhite, Shoemaker, Shores, Slicer, Thomas, Thurston, Waldron, Williams, York and Young—27.

Amended and amendments adopted.

Mr. Hihn moved to suspend the rules to place the bill on its third reading and passage.

Lost, on a division

The bill was ordered engrossed.

Mr. Blankenship, from the Committee on Engrossment, made the following report :

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 430—An Act to submit the question of the removal of the county seat of Kern County to the qualified voters thereof.

Also, Assembly Bill No. 643—An Act amendatory of and supplementary to an Act, approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Also, Assembly Bill No. 600—An Act to authorize the construction of a railroad from tide water, near the Town of Alviso, in the County of Santa Clara, to the southern boundary line of said county, and to aid in the construction of said road.

Also, substitute for Assembly Bill No. 256—An Act to authorize the Board of Supervisors of the County of San Joaquin to donate one hundred thousand dollars to the Stockton and Copperopolis Railroad Company, and to provide for the payment of the same, and other matters relating thereto.

BLANKENSHIP, for Committee.

GENERAL FILE

Senate Bill No. 301—An Act to divide the State into congressional districts and to fix the time to elect Representatives to Congress.

Substitute for the bill was being considered when, at half-past twelve o'clock p. m., the House took a recess.

REASSEMBLED.

At half-past one o'clock p. m. the House reassembled.

Speaker in the chair

Roll called

Quorum present

Half-past one o'clock p. m. being the hour for the special order—Assembly Bill No. 214—on motion of Mr. Gildea, the special order was temporarily postponed to resume consideration of Senate Bill No. 301, which was again taken up.

Mr. Blankenship, from the Committee on Engrossment, made the following report :

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 264—An Act to authorize the County of Santa Cruz to aid in the construction of railroads and other roads in said county, and for other purposes pertaining thereto.

BLANKENSHIP, for Committee.

The question being on the adoption of the substitute, the ayes and noes were demanded by Messrs. Naphtaly, Haile and Crigler, and the House refused, by the following vote :

AYES—Messrs. Andrews, Berry, Blankenship, Crigler, Doss, Haile, Hawley, Henley of Sonoma, Hubner, Hudson, Inman, Johnson, King, Martin of Siskiyou, McMurry of Trinity, Miller of Marin, Murphy of Santa Clara, Naphtaly, Pool, Ryan, Satterwhite, Shoemaker, Shores, Thomas and Young—35

NOES—Messrs. Appling, Biggs, Brown of Amador, Brown of Yuba, Carothers, De Haven, Duffy, Finney, Fortune, Gildea, Green, Henley of Mendocino, Kelley, Lambert, Lewelling, Martin of Butte, McClaskey, McMillan, McMurry of El Dorado, Miller of El Dorado, Mooney, Moynihan, Munday, Oates, Power, Robinson, Sammons, Slicer, Thurston, Walden, York and Mr. Speaker—32

Mr. Satterwhite moved to indefinitely postpone the Senate bill

Mr. Andrews moved to amend by striking out sections one, two, three and four of the bill.

The Chair ruled the motion out of order, for, if the motion prevailed, it would leave the bill containing only the same subject which the House had just voted down, in the substitute to the bill

Mr. Andrews appealed from the decision of the Chair, stating that his motion was upon a bill now before the House, subject to amendment.

On the appeal, the Chair was sustained

On motion of Mr. Hubner, the whole matter was laid on the table.

SPECIAL ORDER.

Assembly Bill No. 214—An Act to establish the California State Board of Immigration, to prescribe its duties and provide means for the performance thereof.

Mr. Inman moved to strike out the enacting clause of the bill

Mr. Blankenship moved the previous question

Sustained

On the motion to strike out the enacting clause, the ayes and noes were demanded by Messrs. Eichelroth, Doss and Blankenship, and the motion prevailed, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Blankenship, Brown of Yuba, Calderwood, De Haven, Eichelroth, Finney, Fryer, Green, Hudson, Inman, Kelley, Koutz, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Munday, Odell, Power, Sammons, Scarce, Shores, Thomas, Thurston, Walden, Williams, York and Young—34.

NOES—Messrs. Brown of Amador, Carothers, Doss, Fortune, Gildea, Griswold, Henley of Sonoma, Hihn, Horan, Hubner, Johnson, McClaskey, McMillan, Mooney, Murphy of Santa Clara, Naphtaly, Oates, Rockwell, Ryan, Shoemaker and Waldron—21

Mr. Eichelroth gave notice that on to-morrow he would move to reconsider the vote striking out the enacting clause of the bill.

Senate Bill No. 185—An Act to provide for the reclamation of swamp, salt marsh, tide and other overflowed lands.

Mr. Berry offered an amendment to section fourteen.

Lost

Amendments to section fifteen adopted

Mr. Lewelling, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 568—An Act to incorporate the Town of Brooklyn, and to define and establish the boundary line between said town and the City of Oakland.

LEWELLING, for Committee.

Mr Martin of Butte, by leave, offered a resolution to pay Dana Perkins, Sergeant-at-Arms, mileage, and for serving subpoenas upon witnesses to appear before the Investigating Committee.

Referred to the Committee on Contingent Expenses.

Mr. Inman, from the Alameda delegation, by leave, made the following report :

MR. SPEAKER: The Alameda delegation, to whom was referred Senate Bill No 347, have had the same under consideration, and report the same back with a recommendation that it pass.

INMAN, for Delegation.

Senate Bill No 185 continued

Mr Berry offered an amendment to section six.

Lost.

Mr. Berry offered an amendment.

Lost.

Mr Haile moved the previous question.

Sustained.

Bill read a third time

On the passage of the bill, the ayes and noes were demanded by Messrs. Biggs, Haile and Berry, and it passed, by the following vote :

AYES—Messrs. Andrews, Appling, Blankenship, Brown of Amador, Brown of Yuba, Crigler, Eichelroth, Fortune, Haile, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Johnson, Kelley, King, Lambert, Martin of Butte, McClaskey, McMillan, McMurphy of El Dorado, Miller of Marin, Murphy of Santa Clara, Naphtaly, Oates, Pool, Rockwell, Romer, Ryan, Satterwhite, Stephens, Thurston, Walden, Williams, Young and Mr Speaker—36

NOES—Messrs. Berry, Biggs, Duffy, Finney, Fryer, Green, Hudson, Inman, Koutz, Lewelling, Martin of Siskiyou, Munday, Odell, Power, Sammons, Scarce, Shoemaker, Shores, Slicer and Waldron—20.

Mr. Andrews gave notice that on to-morrow he would move to reconsider the vote just taken

The Speaker presented the following communication :

MR. SPEAKER: Your committee, appointed to consider the petition for the extension of the elective franchise to the women of the State of California, most respectfully invite the honorable members of the Assembly to attend the meeting of said committee, to be held this evening, at half-past seven o'clock, in this chamber.

FINNEY, for Committee.

Mr. McMillan, by leave, introduced a bill for an Act requiring the Board of Education of the City and County of San Francisco to furnish,

gratuitously, all necessary text books and stationery for the use of the pupils in the public schools in said city and county, and to equalize the salaries of the male and female teachers in said schools

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

At five o'clock P. M., on motion of Mr. Rockwell, the House adjourned

GEO. H. ROGERS.
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, March 19th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Rev. Mr. Gober

Journal of yesterday read and approved.

PETITION.

Mr. Doss presented a petition from physicians of San Francisco, recommending the appointment of a State Chemist.

Received and referred to the Hospital Committee.

REPORTS OF STANDING COMMITTEES.

Mr. McClaskey, from the Committee on Swamp and Overflowed Lands, made the following report:

MR. SPEAKER: Your committee, to whom was referred Assembly Bill No. 649—An Act to authorize and require the Board of Supervisors of Yolo County to approve and certify certain claims against Swamp Land District Number Eighteen—have had the same under consideration, and beg leave to report the same back and recommend the passage of the bill.

McCLASKEY, Chairman

Mr. Kelley, from the Committee on Agriculture, made the following report:

MR. SPEAKER: The Committee on Agriculture, to whom was referred Senate Bill No. 423—An Act to amend an Act entitled an Act for the protection of game, passed May fifteenth, eighteen hundred and fifty-four—have had the bill under consideration, and report the same back and recommend its passage

Also, Senate Bill No. 405—An Act to amend an Act entitled an Act for the protection of game, passed May fifteenth, eighteen hundred and fifty-four—report it back without recommendation.

KELLEY, Chairman.

Mr. Horan, from the Committee on Claims, made the following report:

Mr. SPEAKER: Your committee, to whom was referred Assembly Bill No. 535—An Act for the relief of J. N. Walker, Sheriff of Fresno County—having considered the same, report the bill back and recommend that it pass.

Also, Assembly Bill No. 545—An Act for the relief of J. J. McCreedy. From the evidence before your committee, it appears that the claimant herein, J. J. McCreedy, entered into a contract with the Commissioners of the State, duly appointed by an Act of the last Legislature, for the purpose of erecting a Deaf, Dumb and Blind Asylum building in the State of California; that in the construction of said building the Commissioners aforesaid made alterations, and subjected the said McCreedy to much delay in the work and additional expense in the construction of said building, to the amount herein claimed. Your committee, from the evidence and facts before them, believe said claim a just demand against the State, and recommend that the bill pass.

HORAN, Chairman.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled substitute for Assembly Bill No. 423—An Act reorganizing the Board of Supervisors of Marin County and redistricting said county.

Also, Assembly Bill No. 374—An Act to encourage iron mining

And this day, at eleven o'clock and forty-five minutes A. M., presented the same to the Governor for his approval

BROWN (of Yuba), for Committee.

Mr. Lewelling, from the Committee on Printing, made the following minority reports:

Mr. SPEAKER: A minority of the Committee on Printing have had under consideration Assembly Bill No. 573—An Act concerning the office of State Printer, and respectfully make the following report:

The question involved in the bill is simply one of economy to the State. The present law allows the State Printer and fixes the pay for composition in English at one dollar per one thousand ems.

At the time of the passage of the law now in operation the State Printer had to pay seventy five cents per one thousand ems to have the work done, which left him a profit of twenty-five cents on every one thousand ems. Since that time the Typographical Union has fixed the price at sixty cents per one thousand ems, thus reducing the cost of printing twenty per cent. lower than it was at the time of the passage of the present law.

The price paid for composition in English, in Chicago, is forty cents per one thousand ems, and with our present increased facilities of com-

munication with the Eastern States it is expected that a further reduction in labor will soon follow, and in all probability, by the time this law would take effect, composition in English will be printed in this State for fifty cents per one thousand cms, and all other printing at a similarly reduced price.

The minority of your committee are therefore of the opinion that the passage of this bill will secure a saving to the State of between thirty and forty per cent. of the present cost of the State printing.

LEWELLING, for Minority.

Mr. SPEAKER: The minority of the Committee on Printing have had under consideration Senate Bill No. 467—An Act authorizing the publication of certain legal notices in a State paper printed at the seat of Government of the State of California—and respectfully present the following report:

We believe the proposition to establish a State paper to be a good one, and favor the passage of this bill, if amended so that all notices required to be published under the operation of said bill shall not be required to be published in any other paper in any county of this State.

The reason of this recommendation is obvious: unless such a provision is inserted, all legal notices will be required to be published, first, in a county paper, and, secondly, in the State paper, thus entailing a double tax on litigants.

LEWELLING, for Minority.

Mr. Satterwhite, from the Committee on Public Lands, made the following report:

Mr. SPEAKER: Your Committee on Public Lands report Assembly Bill No. 448—An Act concerning tide lands in the Bay of San Diego—amended, and recommend its passage as amended

SATTERWHITE, Chairman.

Mr. Newell, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 282—An Act concerning certain ordinances of the Board of Supervisors of the City and County of San Francisco, and other matters.

Also, Assembly Bill No. 588—An Act concerning roads and highways in the County of Lassen.

NEWELL, for Committee.

Mr. Slicer, from the Committee on Education, made the following report:

Mr. SPEAKER: The Committee on Education, to whom was referred Senate Bill No. 311—An Act to prevent the destruction of timber on the sixteenth and thirty-sixth sections reserved for school purposes and on agricultural college lands—have considered the same, report it back and recommend its passage.

SLICER, Chairman.

Mr. Ryan, from the San Francisco delegation, made the following report :

MR. SPEAKER : The San Francisco delegation, to whom was referred Assembly Bill No 625—An Act for the relief of Marcus Harloe—have had the same under consideration, and herewith report it back and recommend its passage.

Also, Assembly Bill No. 656—An Act authorizing the Board of Education of the City and County of San Francisco to furnish, gratuitously, all necessary text books and stationery for the use of the pupils in the public schools in said city and county, and to equalize the salaries of the male and female teachers in said schools—and recommend its passage

RYAN, Chairman.

Mr Romer, Chairman of the Committee on Railroads and Telegraphs, made the following report :

MR SPEAKER : The Committee on Railroads and Telegraphs have had under consideration Assembly Bill No. 632—An Act to amend an Act entitled an Act authorizing Robert Betge and others to lay down and maintain a railroad in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight—report the same back and recommend its passage.

Also, return to the Assembly a petition concerning a bill in relation to telegraph rates, now in possession of the Committee on Corporations, and recommend its reference to said committee

ROMER, Chairman

The petition was so referred.

Mr. Naphtaly, from the Judiciary Committee, made the following report :

MR. SPEAKER : The Judiciary Committee respectfully report back the following bills: An Act to provide for a State Board of Equalization—being the substitute of the majority of the Committee on Ways and Means for Assembly Bill No. 1; and also the substitute for said bill reported by the minority of said committee; and also Assembly Bill No. 1 We recommend that said bills be placed on the file of Saturday, March nineteenth, to be considered with Senate Bill No. 153, referring to the same subject matter.

Also, Assembly Bill No. 26—An Act to empower Charles A. Yancey, guardian of Augusta and William Block, minors, to sell certain real estate therein described—and recommend the passage of the bill.

NAPHTALY, Chairman.

Assembly Bill No. 1, above reported, was, on motion, ordered second on file for to-day.

On motion of Mr. Appling, the rules were suspended and Assembly Bill No. 26, above reported, taken up.

Rules further suspended, bill considered engrossed, read a third time and passed ; title approved.

Mr. Ryan, from the San Francisco delegation, made the following report :

Mr. SPEAKER: The San Francisco delegation, to whom was referred Senate Bill No. 192—beg leave to report the same back and recommend its passage.

RYAN, for Delegation.

Rules suspended and the above reported bill taken up.

Senate Bill No 192—An Act granting certain privileges to the Central Railroad Company of San Francisco.

Read a third time and passed; title approved.

Mr Lambert, from the Committee on Ways and Means, made the following reports:

Mr. SPEAKER: The Committee on Ways and Means, to whom was referred Senate Bill No. 20—An Act to provide for the payment of the State's portion of the salary of the County Auditor of Fresno County—have had the same under consideration, and report the bill back to the Assembly with an amendment, and recommend the passage thereof as amended.

LAMBERT, Chairman.

Mr SPEAKER: The Committee on Ways and Means have had under consideration the subject of making appropriations for the support of the civil Government of the State of California for the twenty-second and twenty-third fiscal years, commencing on the first day of July, eighteen hundred and seventy, and ending on the thirtieth day of June, eighteen hundred and seventy-two, and herewith report a bill to the Assembly, having that object in view, and recommend its passage

The committee have also considered the subject of making appropriations for deficiencies in the appropriations made for previous years, and herewith report a bill to the Assembly, making appropriations for that purpose, for the nineteenth, twentieth and twenty-first fiscal years, ending on the thirtieth day of June, eighteen hundred and seventy, and recommend the passage of the bill.

LAMBERT, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Mr. Finney, Chairman of the Committee on Woman's Suffrage, made a report, recommending that the prayer of petitioners in reference to the subject be granted, and reported an amendment to the Constitution of this State, article —, section one.

Mr. Lewelling moved to make the report the special order for Wednesday next, at half-past one o'clock P. M.

Lost.

Mr. Satterwhite moved to lay the whole matter on the table.

Lost, on a division.

Mr Slicer moved to refer to the Committee on Public Morals.

Lost.

On motion of Mr. Lambert, the report was referred to the Judiciary Committee.

Mr. Crigler made the following report, accompanied with papers and documents connected with the investigation:

Mr SPEAKER: The committee appointed to inquire into the alleged breaches of the privileges of the House, in accordance with the several resolutions hereto annexed, respectfully make the following report:

That your committee have examined Mr. T. J. Moynihan, the member who made the charge of the attempted bribery upon him. This examination, however, throws no light whatever upon the subject. Mr. Moynihan can only give the name of the person, whom he calls Morton, who gave him the scrip or stock of the San Mateo Tanning Company, without placing the committee in any position or giving them any information to discover the whereabouts of said Morton. Mr. Moynihan could not and did not describe the man Morton, nor the person who introduced him (Moynihan) to Morton; and after the most diligent search and inquiry no one seems to have seen or heard of a man by the name of Morton, in the City of Sacramento, since the opening of this session. And after examining numerous other witnesses upon the subject of the repeal of the so-called "tannery bill," we have found no one who could give us a particle of information or evidence tending in the least degree to show that any attempt was made to corrupt or bribe any person, or even Mr. Moynihan, save the testimony of Mr. Moynihan himself.

The committee have also examined other witnesses, in order to unearth rumors about corruption or bribery in other matters, especially with reference to the so-called "McCauley tide land bill." The testimony of all witnesses has been carefully reduced to writing, read over to the witnesses, and is now submitted to the House. From the testimony, we find that no attempt was made to unduly influence any person with reference to the vote or action of any member of the Legislature upon that bill, or upon any other matter before the House.

All of which is respectfully submitted.

CRIGLER, Chairman,
HAILE,
HENLEY,
POOL,
NEWELL.

J. NAPHTALY. Counsel for Committee.

[For evidence taken before the Committee, see Appendix.]

Mr. Hubner moved that the report be received and ordered spread upon the Journal, and the committee discharged

Carried.

Mr. Slicer, from the Nevada delegation, made the following report :

MR. SPEAKER : The Nevada delegation, to whom was referred Senate Bill No. 233—An Act for the relief of Thomas T. Davenport, late County Collector of Nevada County—have had the same under consideration, report it back and recommend its passage.

SLICER, for Delegation

Mr. Haile, from the Solano delegation, made the following report :

MR. SPEAKER : The Solano delegation, to whom was referred Senate Bill No. 298—An Act concerning the City of Vallejo and to ratify and confirm a certain ordinance of the Trustees thereof—beg leave to report that we have examined the same, report it back, with an amendment, and recommend its passage as amended.

HAILE, for Delegation.

Mr. Andrews, for the Senate and Assembly Committee of Conference upon Senate Bill No. 280—An Act amendatory and supplemental to an Act entitled an Act to authorize the Judges of the Supreme Court to employ a Secretary, approved April twenty-third, eighteen hundred and fifty-eight—made a report, recommending that the House recede from its amendments.

[For report, see Appendix.]

On motion of Mr. Haile, the House receded from its amendment to the bill.

Mr. Biggs, for the Butte and Plumas delegation, verbally reported back Senate Bill No. 398, recommending its passage.

Rules suspended and bill taken up

Read a third time and passed; title approved.

Mr. Crigler, from the Lake and Napa delegation, made the following report :

Mr. SPEAKER : Your committee, of the Lake and Napa delegation, to whom was referred Senate Bill No. 585—An Act concerning the office of County Clerk of Napa County—beg leave to report that we have had the same under consideration, and report it back and recommend its passage.

CRIGLER, for Delegation.

Rules suspended and the above reported bill taken up.

Read a third time and passed; title approved.

Mr. Doss made the following report :

Mr. SPEAKER : The committee to whom was referred Assembly Bill No. 556—An Act to empower the Counties of Stanislaus, Merced, Fresno and Tulare to aid in the construction of the Stockton and Visalia Railroad—have had the same under consideration, and beg leave to report the same back and request that it be referred to the Railroad Committee, as the delegation is unable to satisfactorily agree. A bill similar to the one under consideration was referred to the Railroad Committee, which passed the Legislature, and allows a subsidy to any company building a road first through said counties.

DOSS, for Committee.

Mr. Gildea moved to suspend the rules, that the bill above reported be taken up and considered in Committee of the Whole.

Lost.

On motion of Mr. Doss, the bill was referred to the Railroad Committee.

GOVERNOR'S MESSAGE.

The following message was received from the Governor :

STATE OF CALIFORNIA. EXECUTIVE DEPARTMENT, }
Sacramento, March 18th, 1870. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 618—An Act concerning the charter election of eighteen hundred and seventy, for the City of Marysville.

Also, Assembly Bill No. 151—An Act empowering the Board of Edu-

cation of the City and County of San Francisco to pay the claim of Wm. Craine.

Also, Assembly Bill No 77—An Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide for a bounty for the same.

Also, Assembly Bill No. 496—An Act in relation to the office of Tax Collector in the County of Monterey.

Also, Assembly Bill No 313—An Act to authorize the Odd Fellows' Cemetery Association of San Francisco to borrow money for certain purposes, and to secure the same by mortgage upon real estate

Also, Assembly Bill No 44—An Act concerning roads and highways in the County of Humboldt.

H. H. HAIGHT,
Governor.

SENATE MESSAGES

The following messages were received from the Senate :

SENATE CHAMBER,
March 18th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on the sixteenth day of March, amended and passed Assembly Bill No. 154—An Act to ratify and confirm certain ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco and proceedings had thereunder.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 18th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on the sixteenth instant, passed Senate Bill No. 416—An Act amendatory and supplemental to an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three, and the Acts amendatory thereof and supplemental thereto.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 19th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on the sixteenth instant, passed Senate Bill No 604—An Act entitled an Act to amend an Act in reference to library associations, approved April twenty-seventh, eighteen hundred and sixty-three.

Also, Senate Bill No 603—An Act to provide for the liquidation of all claims against the State not otherwise provided for by law.

Also, Senate Bill No 606—An Act to repeal an Act entitled an Act to incorporate the Town of Columbia, Tuolumne County.

Also, Senate Bill No. 541—An Act to provide for the construction of a wagon road from Redwood City to the Town of Pescadero, San Mateo County.

Also, amended, March eighteenth, Assembly Bill No. 196—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property.

Also, Assembly Bill No. 339—An Act to create a Board of Levee and Street Commissioners in and for the Town of Pacheco, Contra Costa County

Also, adopted Assembly Concurrent Resolution No. 55—Directing the State Librarian to deliver to each of the Judges of the United States Courts on the Pacific coast a copy of the California Reports.

Also, adopted Senate concurrent resolution relative to returning Senate Bill No. 588, for the purpose of correcting the same

Also, Senate Concurrent Resolution No. 54—Relative to correcting error in Senate Bill No. 577.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 154, above reported, Senate amendments concurred in

Senate Bill No. 416, above reported, read first and second times, rules suspended, amendments adopted and, by unanimous consent, read a third time and passed; title approved

Senate concurrent resolution, above reported, concurred in.

Substitute for Senate Bill No. 196, above reported.

Senate amendment to section one concurred in

When the House refused to concur in Senate amendment in reference to Mono County.

Senate Bill No. 541, above reported, read first and second times and referred to the Committee on Roads and Highways.

Senate Bill No. 604, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 606, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 603, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Concurrent Resolution No. 54, above reported.

On motion of Mr. Gildea, the resolution was returned to the Senate for the purpose of having the Senate designate what the error was.

INTRODUCTION OF BILLS

Bills were introduced as follows:

By Committee on Ways and Means—An Act making appropriation for the support of the civil government of the State of California for the twenty-second and twenty-third fiscal years commencing on the first day of July, eighteen hundred and seventy, and ending on the thirtieth day of June, eighteen hundred and seventy-two.

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

Also, an Act to establish in the City of San Francisco a Labor and Employment Exchange, and to provide for its government and support

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

Also, an Act making an appropriation for deficiencies in the appro-

priation made for the nineteenth, twentieth and twenty-first fiscal years, ending on the thirtieth day of June, eighteen hundred and seventy.

Read first and second times and ordered on the general file.

By Mr. Odell—An Act concerning roads and highways in the County of Sacramento

Read first and second times and ordered on the file.

By Mr. Blankenship—An Act to provide for relocating the county seat of the County of Monterey by the qualified electors of said county

Read first and second times and referred to the Committee on Counties and County Boundaries, with petition presented with bill.

By Mr. Ryan—An Act amendatory of an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, passed April nineteenth, eighteen hundred and fifty, and to amend an Act entitled an Act to amend an Act to provide for the appointment and prescribe the duties of guardians, passed April nineteenth, eighteen hundred and fifty, approved May twentieth, eighteen hundred and sixty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Haile—An Act to provide for the construction of a State Normal School building in the City of San José, and other matters relating thereto

Read first and second times and ordered on general file, to be considered with the other bill on the same subject

By Mr. Berry—An Act for the relief of D. O. Mahoney and Phil. E. Drescher.

Read first and second times and ordered on the general file.

By Mr. Carothers—An Act to authorize the appointment of a Justice of the Peace in Township Number Three, Contra Costa County, and other matters relating thereto.

Read first and second times and referred to the Judiciary Committee.

By Mr. Rockwell—An Act to provide for a railroad within the City and County of San Francisco.

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

Also, an Act concerning the Board of Supervisors of the City and County of San Francisco, and defining the duties and powers thereof.

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

By Mr. Finney—An Act to provide funds for the construction and improvement of highways in the County of San Mateo.

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

By Mr. Stephens—An Act granting a street railroad in the City and County of Sacramento

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

Also, an Act to prevent stock from trespassing upon certain lands in certain portions of Sacramento County, in certain seasons of the year.

Read first and second times and referred to the Sacramento delegation

MOTIONS AND RESOLUTIONS.

On motion of Mr. Gildea, Assembly Bill No. 610 was ordered printed.

Mr. Andrews moved to reconsider the vote by which Senate Bill No. 185 passed on yesterday.

Mr. Haile moved to indefinitely postpone the motion.

Mr. Haile then moved the previous question.

On which the ayes and noes were demanded by Messrs. Waldron, Martin of Siskiyou and Romer, and the House refused to order the main question, by the following vote :

AYES—Messrs. Eichelroth, Freeman, Haile, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Johnson, Kelley, King, Lambert, Martin of Butte, McClaskey, Merritt, Miller of Marin, Mooney, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Pool, Rockwell, Romer, Satterwhite, Stephens, Thurston and Williams—27.

NOES—Messrs. Andrews, Berry, Biggs, Calderwood, Carothers, De Haven, Doss, Fryer, Hawley, Hihn, Hubner, Hudson, Inman, Koutz, Lewelling, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Moynihan, Munday, Odell, Power, Ryan, Sammons, Scarce, Shoemaker, Shores, Slicer, Waldron, York and Young—31.

On the motion to indefinitely postpone, the ayes and noes were demanded by Messrs. Andrews, Martin of Siskiyou and Hudson, and it prevailed, by the following vote :

AYES—Messrs. Appling, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Crigler, Doss, Eichelroth, Gildea, Haile, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Johnson, Kelley, King, Lambert, Martin of Butte, McClaskey, McMillan, Miller of Marin, Mooney, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Pool, Rockwell, Romer, Ryan, Satterwhite, Stephens, Thomas, Thurston, Walden, Williams, Young and Mr. Speaker—39.

NOES—Messrs. Andrews, Berry, Biggs, De Haven, Finney, Fryer, Green, Hawley, Hihn, Hubner, Hudson, Inman, Koutz, Lewelling, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Moynihan, Munday, Odell, Power, Robinson, Sammons, Scarce, Shores, Slicer, Waldron and York—30.

REPORT.

Mr. Blankenship, from the Committee on Engrossment, made the following report :

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 548—An Act to authorize the Saucelito Land and Ferry Company to establish and maintain a public ferry between Marin County and the City and County of San Francisco.

Also, Assembly Bill No. 576—An Act to authorize the Treasurer of Lassen County to pay William Williams a certain sum of money adjudged to be due him for erecting the county buildings of said county.

BLANKENSHIP, for Committee.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

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

REPORT.

Mr. Naphtaly, from the Judiciary Committee, made the following report:

Mr. SPEAKER: The Judiciary Committee, to whom was referred the concurrent resolution amending the Constitution of this State, so as to allow the extension of the elective franchise to the women of this State, report the same back as proper in form, but without recommendation.

NAPHTALY, Chairman.

The report and concurrent resolution was made the special order for Tuesday next, at two o'clock P. M., on motion of Mr. Finney.

Mr. Hihn, by leave, introduced a bill for an Act for the relief of John Humes

Read first and second times and ordered on the file.

RESOLUTIONS.

Mr. Appling, by leave, offered a concurrent resolution, requesting the Governor to return Assembly Bill No. 423, for correction.

Adopted.

Mr. Haile offered a resolution as follows:

Resolved, That the Controller of State is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, in favor of Tod Robinson, Jr., for sixty dollars, it being for ten days' services as Clerk of the Committee of Investigation.

Adopted.

Mr. Duffy offered a concurrent resolution in relation to the sinking of the United States steamer Oneida, by the British steamer Bombay, in the waters of Japan

Read first and second times and referred to the Committee on Federal Relations.

REPORT.

Mr. Blankenship, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed substitute for Assembly Bill No. 425—An Act to direct the Treasurer and Auditor of Solano County to transfer certain moneys from the Swamp Land Fund and the Redemption Fund of Solano County to the Interest and Redemption Fund

Also, Assembly Bill No. 218—An Act to amend an Act entitled an Act to authorize the formation of corporations to provide the members thereof with homesteads or lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 521—An Act granting leave of absence to N. D. Witt, District Attorney of San Luis Obispo County.

Also, Assembly Bill No. 427—An Act in relation to the school lands of the State.

Also, Assembly Bill No. 341—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 631—An Act granting leave of absence from the State to Henry L. Waldo, District Attorney of Amador County.

Also, Assembly Bill No. 365—An Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two.

Also, Assembly Concurrent Resolution No. 41—Granting leave of absence to J. W. Graham, County Treasurer of Klamath County

Also, Assembly Bill No. 361—An Act for the relief of T. D. Murphy, W. D. Murphy, G. E. Nottage, S. Malloy, M. J. Bolan, Courtland Wood, H. J. Quinn and Ira D. Thompson, all of the City and County of San Francisco.

BLANKENSHIP, for Committee

Mr. Ryan, by leave, introduced a bill for an Act for the relief of John Henry Blaney.

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

SENATE MESSAGES

On motion of Mr. Blankenship, the rules were suspended to take up the following Senate messages :

SENATE CHAMBER, }
March 19th. 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on the seventeenth instant, under suspension of the rules, passed Senate Bill No. 605—An Act extending the authority of E. L. Craig, late District Attorney of Placer County, in the prosecution and defence of certain actions and proceedings, and other matters relating thereto.

Also, on the eighteenth instant, under suspension of the rules, passed, as amended, Senate Bill No. 447—An Act to make, open and establish a public street in the City and County of San Francisco, to be called Montgomery avenue, and to take private lands therefor.

ROBERTS,
Secretary

SENATE CHAMBER, }
March 19th. 1870 }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on March eighteenth, passed substitute for Senate Bill No. 130—An Act conferring further powers upon the State Board of Tide Land Commissioners named in and appointed under the Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES

Substitute for Senate Bill No. 130, above reported, read first and second times

Mr. Haile moved to refer the bill to the Committee on Public Lands.

On which the ayes and noes were demanded by Messrs Duffy, Henley of Sonoma, and Haile, and the House refused, by the following vote:

AYES—Messrs Andrews, Appling, Berry, Blankenship, Haile, Henley of Mendocino, Henley of Sonoma, Hudson, Kelley, McMurry of Trinity, Miller of El Dorado, Mooney, Moynihan, Munday, Odell, Robinson, Romer, Satterwhite, Stephens, Thurston and Walden—21.

NOES—Messrs Biggs, Brown of Amador, Carothers, De Haven, Doss, Duffy, Escandon, Finney, Fryer, G. R. B. Hayes, M. Hayes, Hihn, Johnson, King, Koutz, Lambert, Lewelling, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, Merritt, Miller of Marin, O'Connell, Power, Rockwell, Ryan, Sammons, Shoemaker, Shores, Waldron, Williams, York and Mr. Speaker—34

On motion of Mr. Gildea, the bill was ordered to the top of the file for Tuesday next

Senate Bill No. 605, above reported, read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved

Senate Bill No. 447, above reported, read first and second times and referred to the San Francisco delegation

Mr. Eichelroth moved to reconsider the vote striking out the enacting clause of Assembly Bill No. 214, on yesterday.

Mr. Martin of Siskiyou moved to indefinitely postpone the motion to reconsider

Mr. Gildea moved to make the whole subject the special order for Tuesday next, at two o'clock p m

Mr. McMurry of Trinity moved the previous question.

Sustained

On the motion of Mr. Gildea, the ayes and noes were demanded by Messrs. Andrews, Martin of Siskiyou, and Shores, and it prevailed, by the following vote:

AYES—Messrs Appling, Brown of Amador, Doss, Eichelroth, Fortune, Gildea, Griswold, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Johnson, King, McClaskey, McMillan, McMurry of El Dorado, Merritt, Mooney, Naphtaly, O'Connell, Rockwell, Romer, Ryan, Shoemaker, Stephens, Thurston, Walden and York—27

NOES—Messrs. Andrews, Berry, Biggs, Blankenship, Crigler, De Haven, Duffy, Finney, Fryer, Hudson, Kelley, Koutz, Lambert, Lewelling, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Munday, Power, Sammons, Satterwhite, Shores and Mr. Speaker—25

Mr. Mooney moved to suspend the rules, to take up Assembly Bills Nos 602 and 599

Carried.

Assembly Bill No. 602—An Act to define and establish the boundary line between the Counties of Inyo and Mono.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 599—An Act to confer further powers on the Board of Supervisors of Mono County.

Mr. Duffy offered an amendment, as follows: "This Act shall not take effect or be in force for thirty days after its passage."

At two o'clock and thirty five minutes P. M. Mr. Andrews moved to adjourn.

Lost

Mr. Finney moved the previous question.

Sustained

On the amendment offered by Mr. Duffy, the ayes and noes were demanded by Messrs. Eichelroth, Andrews and Mooney, and it was lost, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Amador, Doss, Duffy, Finney, Gildea, Hudson, King, Koutz, Lewelling, Martin of Siskiyou, Miller of El Dorado, Moynihan, Munday, Naphtaly, Walden and York—20.

NOES—Messrs. Blankeuship, Carothers, Coronel, Crigler, De Haven, Fryer, M. Hayes, Johnson, Kelley, Lambert, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Mooney, Power, Robinson, Rockwell, Ryan, Scarce, Shoemaker and Williams—22.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Mr. Duffy gave notice that he would, on Monday, move to reconsider the vote just taken.

Mr. Lewelling, by leave, offered the following:

Resolved, That Mr. Berry, Mr. Doss and Mr. Green be and they are hereby added to the Committee on Engrossment.

Adopted.

REPORTS.

Mr. Ryan, from the Committee on Enrolment, submitted the following report:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Concurrent Resolution No. 31—For the establishment of a mail route from Calistoga to Kelsey, Napa County.

Also, Assembly Concurrent Resolution No. 48—Granting leave of absence to A. Maurice, Jr., District Attorney of Butte County.

Also, Assembly Bill No. 263—An Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo.

Also, Assembly Bill No. 520—An Act fixing the times at which the Board of Supervisors of the County of San Joaquin shall hold their regular sessions.

Also, Assembly Bill No. 597—An Act to regulate the drawing of warrants on the Treasurer of Shasta County.

Also, Assembly Bill No. 598—An Act authorizing the Board of Supervisors of the County of Santa Clara to pay to the Sheriff of said county certain moneys therein named.

Also, Assembly Bill No. 154—An Act to ratify and confirm certain ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco, and proceedings had thereunder.

And this day, at twelve o'clock M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

At two o'clock and fifty-five minutes P. M. Mr. Hudson moved to adjourn.

On which the ayes and noes were demanded by the requisite number, and the House refused, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Amador, Henley of Sonoma, Hudson, Kelley, Koutz, Martin of Siskiyou, McMurry of Trinity, Merritt, Miller of El Dorado, Munday, Power, Robinson, Ryan, Sammons, Scarce and Walden—20.

NOES—Messrs. Blankenship, Carothers, Crigler, De Haven, Doss, Duffy, Eichelroth, Finney, Fortune, Gildea, M. Hayes, Johnson, King, Lambert, Lewelling, McClaskey, McMillan, Mooney, Moynihan, Naphataly, O'Connell, Rockwell, Satterwhite, Shoemaker, Williams and Mr Speaker—25.

Mr. Lewelling, from the Committee on Engrossment, made the following report :

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 566—An Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Assembly Bill No. 567—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco and upon the Auditor and Treasurer of said city.

LEWELLING, for Committee.

Mr. Johnson tendered his resignation as a member of the Engrossing Committee, giving satisfactory reasons for so doing.

Accepted

Mr. Mooney, from the Committee on Claims, submitted the following report :

MR. SPEAKER: Your committee, to whom was referred Assembly Bill No. 635—An Act to pay the claim of McNally and Hawkins, for work done and material furnished the Deaf, Dumb and Blind Asylum—having considered the same, report said bill back and recommend that it pass.

HORAN, Chairman.

Mr. Koutz, by leave, introduced a bill for an Act concerning taxes on certain kinds of live stock and vehicles in the County of Sierra.

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

Also, an Act concerning money at interest, secured by mortgage or otherwise.

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

On motion of Mr. Blankenship, Mr. Gildea was added to the Engrossing Committee.

At three o'clock P. M., on motion of Mr. Appling, the House adjourned

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.
Monday, March 21st, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Rev. Mr. Gober

Journal of Saturday read and approved

Messrs. Merritt, Murphy of Santa Clara and Thomas, and all the absentees, were granted leave of absence for one day

REPORTS OF STANDING COMMITTEES.

Mr. Biggs, from the Committee on Public Buildings and Grounds, made a report in regard to the public buildings of this State, which said committee had visited in their official capacity.

[For report, see Appendix.]

Mr. Henley of Sonoma, from the Committee on Federal Relations, made the following report:

MR. SPEAKER: The Committee on Federal Relations, to whom was referred Assembly concurrent resolution, relative to the construction of a first-class war vessel on the Pacific Coast, beg leave to report the same back without recommendation.

HENLEY (of Sonoma), Chairman

Mr. Biggs, under suspension of the rules, introduced a bill for an Act in relation to labor and materials on the public buildings of the State of California.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

MOTIONS AND RESOLUTIONS

Mr. Martin of Siskiyou offered the following resolution:

Resolved, That under authority of a resolution adopted by the House December ninth, eighteen hundred and sixty-nine, the Sergeant-at-Arms be directed to issue the amount of stamps and envelops therein named to Joshua Moffit, Assistant Clerk; Newton Benedict, Minute Clerk, and to E. L. Crawford, Assistant Clerk.

Adopted.

Mr. McMurry of El Dorado offered the following resolution :

Resolved, That one dollar per day, in addition to the compensation now allowed, be paid to Isaac L. Miller, Postmaster of the Assembly, from the commencement to the close of the session ; and the Controller is hereby authorized and directed to draw his warrant on the Contingent Fund for payment of the same.

Adopted.

Mr. Mooney offered a resolution, to allow E. W. Brown, Journal Clerk, and W. C. Holt, Copying Clerk, a per diem equal to that of the Copying Clerks.

Referred to the Committee on Contingent Expenses.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
March 21st, 1870. }

MR SPEAKER : I am directed to inform the Assembly that the Senate, on the seventeenth day of March, passed, under suspension of the rules, substitute for Senate Bill No. 37—An Act to amend an Act entitled an Act to provide revenue for the support of the State, approved April twenty-seventh, eighteen hundred and sixty-three.

Also, adopted Assembly Concurrent Resolution No. 56—Authorizing the correction in Assembly Bill No 598.

Also, passed Senate Bill No 570—An Act for the better protection of Treasurers of the City and County of Los Angeles.

And, on March eighteenth, passed substitute for Senate Bill No. 584—An Act concerning street railroads.

Also, Senate Bill No. 595—An Act authorizing the Board of Supervisors of Sierra County to build a certain wagon road in said county, and to issue bonds therefor.

Also, Senate Bill No 547—An Act to appropriate funds for the relief of the several orphan asylums of this State.

Also, Senate Bill No. 531—An Act to provide for the government of the State Prison and authorize the Board of Directors to adopt the Irish system of discipline therein.

And, on March nineteenth, passed Assembly Bill No 420—An Act to separate the office of County Recorder from the office of County Clerk of the County of Yuba.

Also, Assembly Bill No. 446—An Act concerning roads and highways in the County of Placer.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Substitute for Senate Bill No. 39, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Bill No. 570, above reported, read first and second times and referred to the Los Angeles delegation.

Subsequently taken up, on motion of Mr. Naphtaly, rules suspended and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 595, above reported, read first and second times and referred to the Sierra delegation.

Senate Bill No. 547, above reported, read first and second times.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back and passage recommended

Read a third time, by unanimous consent, and passed; title approved.

Senate Bill No. 531, above reported, read first and second times and referred to the State Prison Committee.

Assembly Bill No. 420, above reported, Senate amendment concurred in.

On motion of Mr. Appling, the rules were suspended to take up Senate Bill No. 20—An Act to provide for the payment of the State's portion of the salary of the County Auditor of Fresno County.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back and passage recommended.

Read a third time and passed; title approved.

INTRODUCTION OF BILLS

On motion of Mr. Horan, the rules were suspended and the following bills were introduced:

By Mr. Horan—An Act relative to a supply of water for the City of Sacramento.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

Also, an Act entitled an Act amendatory of and supplemental to an Act to authorize the establishment of a Board of Health in the City of Sacramento, approved March twenty-seventh, eighteen hundred and sixty-eight.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

By Mr. Finney—An Act to provide for the construction of a tram railroad in the Counties of San Mateo and Santa Cruz.

Read first and second times, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

By Mr. Naphtaly—An Act to provide for the formation of corporations for the accumulation of funds and savings, and the direct promotion of manufacturing and mechanic arts, agriculture and mining.

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

Mr. Lambert, from the Committee on Ways and Means, by leave, made the following minority report:

MR. SPEAKER: The minority of the Committee on Ways and Means have had under consideration Senate Bill No. 48—An Act for the relief and support of the California Labor and Employment Exchange—and herewith report the same back without recommendation.

GENERAL FILE

Mr. Satterwhite moved to suspend the rules, to take up Assembly Bill No. 572—An Act to encourage tin mining in this State

Carried.

Substitute adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

The bill was ordered transmitted to the Senate

Assembly Bill No. 524—An Act to authorize and empower the President and Trustees of the City of San Diego to donate lands to the San Diego and Los Angeles Railroad Company, to aid in the construction of said railroad.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 205

Passed on the file.

On motion of Mr. Lambert, Assembly Bill No. 1. Senate Bill No. 153 and Assembly Bill No. —, were ordered second, third and fourth on the file for to-morrow.

Mr. G. R. B. Hayes gave notice that on to-morrow he would move to reconsider the vote by which substitute for Senate Bill No. 584 passed.

Senate Bill No. 183—An Act in relation to the office of State Geologist.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

The committee reported progress, and asked leave to sit again.

Agreed to.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called

Quorum present

REPORT.

Mr. Lambert, from the Committee on Ways and Means, by leave, made the following report:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred the several petitions and bills of charitable institutions asking for appropriations from the State towards their support, have considered the same, and herewith report to the Assembly a general bill, making such appropriations for the twenty-second and twenty-third fiscal years. The several orphan asylums for which it has been customary to make biennial appropriations, are not included in the bill reported, their necessities having been provided for by a general bill, which has passed both houses of the Legislature.

LAMBERT, Chairman.

The bill above reported—An Act appropriating money for the support of the several charitable institutions therein specified, during the twenty-

second and twenty-third fiscal years, commencing on the first day of July, eighteen hundred and seventy, and ending on the thirtieth day of June, eighteen hundred and seventy-two, inclusive—was read first and second times and ordered on the general file.

GENERAL FILE RESUMED.

Senate Bill No. 183 continued

Read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Biggs, Gildea and Lambert, and it passed, by the following vote:

AYES—Messrs Andrews, Brown of Yuba, Calderwood, Carothers, De Haven, Duffy, Eichelroth, Escandon, Finney, Fortune, Gildea, Griswold, Haile, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Hihn, Johnson, King, Lambert, Lewelling, McClaskey, McMillan, McMurry of Trinity, Miller of Marin, Mooney, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, O'Connell, Power, Rockwell, Romer, Ryan, Sammons, Shoemaker, Shores, Thomas, Thurston Walden, Williams, York and Mr. Speaker—45.

NOES—Messrs. Appling, Berry, Biggs, Blankenship, Brown of Amador, Doss, Freeman, Henley of Sonoma, Hubner, Hudson, Kelley, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, Miller of El Dorado, Munday, Newell, Oates, Odell, Robinson, Satterwhite, Scarce and Stephens—23.

Mr. Blankenship, from the Committee on Engrossment, by leave, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 463—An Act to authorize the Treasurer of Sutter County to transfer money from the General Fund to the Hospital Fund of said county.

Also, Assembly Bill No. 577—An Act concerning estrays in the County of Sutter.

Also, Assembly Bill No. 564—An Act to confer additional powers upon the Board of Trustees of the Town of Eureka, in the County of Humboldt.

Also, Assembly Bill No. 390—An Act to authorize the Board of Supervisors of Solano County, on certain conditions herein named, to grant wharf franchises and to regulate the charges thereon.

Also, Assembly Bill No. 386—An Act to authorize the Board of Supervisors of the City and County of San Francisco to order paid a certain claim.

Also, Assembly Bill No. 619—An Act to incorporate the Fire Department of the City of San José.

Also, Assembly Bill No. 67—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State.

Also, Assembly Bill No. 648—An Act entitled an Act to confer further powers on the Mayor of the City and County of San Francisco.

Also, Assembly Bill No. 646—An Act granting leave of absence to F. R. Dray, County Assessor of the County of Sacramento.

Also, Assembly Bill No. 647—An Act granting leave of absence to W. B. C. Brown, County Clerk of the County of Sacramento.

Also, Assembly Bill No. 487—An Act to aid in the construction of a wagon road from Round Valley, in Mendocino County, to Hydesville, in Humboldt County.

Also, Assembly Bill No. 553—An Act to ratify and confirm the corporate acts of the Salinas and Pajaro Turnpike Road Company.

Also, Assembly Bill No. 139—An Act to amend an Act entitled an Act to authorize the establishing of a steam ferry between Vallejo and Mare Island, in the County of Solano, approved March second, eighteen hundred and sixty-six

Also, Assembly Bill No. 93—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide for the promotion of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 608—An Act to amend an Act entitled an Act concerning common schools in the City of Placerville.

Also, Assembly Bill No. 522—An Act granting leave of absence to Arza Porter, Sheriff of Santa Barbara County.

Also, Assembly Bill No. 517—An Act to provide for a charter for the City and County of San Francisco.

Also, Assembly Bill No. 534—An Act to authorize the Board of Supervisors of Humboldt County to transfer money from the Building Fund to the Road Fund.

Also, Assembly Bill No. 377—An Act supplementary to an Act entitled an Act concerning the Harbormaster of the port of San Francisco, approved March twenty-sixth, eighteen hundred and fifty-seven

Also, substitute for Assembly Bill No. 441—An Act to authorize the issue of bonds by the County of San Diego to erect county buildings and to obtain a site therefor.

Also, Assembly Bill No. 529—An Act to exempt aged and infirm persons from their liabilities for road poll tax.

Also, Assembly Bill No. 380—An Act to create the Nineteenth Judicial District.

Also, Assembly Bill No. 219—An Act to ratify certain acts and ordinances of the Mayor and Common Council of the City of Los Angeles.

Also, substitute for Assembly Bill No. 265—An Act to fix the rate of fares and freights on railroads, and other matters relating thereto.

Also, Assembly Bill No. 385—An Act to encourage the supply of fresh water on the desert west of Fort Yuma.

Also, Assembly Bill No. 677—An Act in relation to labor and materials on the public buildings of this State.

Also, substitute for Assembly Bill No. 167—An Act to amend an Act entitled an Act to incorporate the City of Vallejo, approved March thirtieth, eighteen hundred and sixty-eight

Also, Assembly Bill No. 655—An Act to encourage the destruction of squirrels, gophers and other wild animals in the Counties of Santa Clara and Monterey, and to create a bounty therefor

Also, Assembly Concurrent Resolution No. 36.

Also, Assembly Bill No. 443—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine, and the Acts amendatory and supplementary thereto.

Also, Assembly Bill No. 340—An Act for the preservation of trout in the Counties of Santa Clara, San Mateo, Monterey, Alameda, Marin, Sonoma, Placer and Nevada.

Also, Assembly Bill No. 607—An Act amendatory of and supplemental to an Act entitled an Act to reincorporate the City of Sonora, approved April tenth, eighteen hundred and sixty-two.

Also, Assembly Bill No 26—An Act to empower Charles A Yancey, guardian of Minnie Augusta and William Block, to sell certain real estate described therein.

Also, Assembly Bill No 561—An Act to increase the number of Notaries Public in Monterey County.

Also, Assembly Bill No 516—An Act granting leave of absence to S. P. Moffat, County Clerk of Inyo County

Also, Assembly Bill No. 507—An Act to authorize the Board of Supervisors of Merced County to levy a tax for road purposes and to direct the application thereof

Also, Assembly Bill No. 542—An Act for the relief of A. J. Younger.

Also, Assembly Bill No 362—An Act to regulate the distribution of the Police Fund of the City and County of San Francisco.

Also, Assembly Bill No. 452—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State.

Also. Assembly Bill No 546—An Act for assessing and collecting revenue in the Town of San Buenaventura, and approving all ordinances and proceedings of the Town Trustees.

BLANKENSHIP, for Committee.

Mr. Rockwell, by leave, introduced a bill for an Act to provide for the improvement of a certain part of the City and County of San Francisco.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time.

Mr. Duffy moved to place the bill at the top of file for Wednesday, and that the usual number of copies be printed

Mr. Henley of Sonoma offered an amendment, that the bill be referred to the San Francisco delegation, with special instructions to report the same to-morrow.

On which the ayes and noes were demanded by Messrs Duffy, Carothers and Finney, and the amendment was lost, by the following vote :

AYES—Messrs. Brown of Yuba, Calderwood, Carothers, Crigler, Finney, Gildea, Griswold, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, King, Lambert, Lewelling, Martin of Butte, McMillan, McMurry of El Dorado, Miller of Marin, Mooney, Moynihan, Naphtaly, Oates, O'Connell, Robinson, Ryan, Sammons, Shoemaker, Shores and Thurston—31.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, De Haven, Doss, Duffy, Eichelroth, Escandon, Freeman, Fryer, Haile, Horan, Hudson, Johnson, Kelley, Koutz, Martin of Siskiyou, McClaskey, McMurry of Trinity, Miller of El Dorado, Munday, Murphy of Del Norte and Klamath, Newell, Odell, Pool, Power, Rockwell, Romer, Satterwhite, Scarce, Slicer, Stephens, Thomas, Walden, Williams, York and Mr. Speaker—40.

Mr. Ryan moved to make the bill the special order for to-morrow, at half-past one o'clock P. M., and to print.

Mr. Biggs moved the previous question.

Sustained.

On the motion of Mr. Ryan, the ayes and noes were demanded by Messrs. Gildea, Duffy and Finney, and the motion was lost, by the following vote :

AYES—Messrs. Brown of Yuba, Calderwood, Crigler, De Haven, Duffy, Gildea, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hubner, Martin of Butte, McMillan, Mooney, Moynihan, Naphtaly, O'Connell, Robinson, Rockwell, Ryan, Sammons, Shoemaker and Shores—23

NOES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Carothers, Eichelroth, Escandon, Finney, Freeman, Fryer, Haile, Hihn, Horan, Hudson, Johnson, Kelley, King, Koutz, Lambert, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Munday, Murphy of Del Norte and Klamath, Newell, Oates, Odell, Pool, Power, Romer, Satterwhite, Scarce, Slicer, Stephens, Thomas, Thurston, Walden, Williams, York and Mr. Speaker—45

On the motion of Mr. Duffy, the ayes and noes were demanded by Messrs. Gildea, Andrews and Duffy, and the bill was ordered at the top of the file for Wednesday, and ordered printed, by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Carothers, De Haven, Duffy, Escandon, Finney, Freeman, Gildea, Haile, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, Kelley, Koutz, Martin of Siskiyou, McMillan, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Munday, O'Connell, Power, Robinson, Ryan, Scarce, Shoemaker, Shores, Slicer and Thurston—35.

NOES—Messrs. Appling, Blankenship, Brown of Amador, Brown of Yuba, Crigler, Eichelroth, Fortune, Fryer, Horan, Johnson, King, Lambert, Martin of Butte, McClaskey, McMurry of El Dorado, Mooney, Murphy of Del Norte and Klamath, Newell, Oates, Odell, Pool, Rockwell, Romer, Sammons, Satterwhite, Stephens, Thomas, Walden, Williams, York and Mr. Speaker—31.

REPORTS.

Mr. Koutz, from the Sierra delegation, by leave, made the following report :

MR. SPEAKER : The Sierra delegation, to whom was referred Assembly Bill No. 671—An Act concerning taxes on certain kinds of live stock and vehicles in the County of Sierra—respectfully report that they have had said bill under consideration, and report it back and recommend its passage.

KOUTZ, for Delegation.

Mr. Naphtaly, from the Judiciary Committee, by leave, made the following report :

MR. SPEAKER : The Judiciary Committee, to whom was referred Assembly Bill No. 540—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade certain streets in said city and county and to condemn private property for the roadway of said streets—respectfully report that they have considered said bill,

and report it back, with an amendment, and recommend the passage of the bill as amended.

NAPHTALY, Chairman.

GENERAL FILE RESUMED.

Assembly Bill No. 143—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice

Senate amendments concurred in.

Senate Bill No. 327—An Act to authorize the State Librarian to appoint an additional deputy and fix the compensation therefor.

Considered in Committee of the Whole.

[Speaker pro tem in the chair]

IN ASSEMBLY.

Bill reported back and passage recommended

Read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Doss, Haile, and Martin of Siskiyou, and it passed, by the following vote :

AYES—Messrs Appling, Biggs, Calderwood, De Haven, Finney, Fortune, Freeman, Gildea, Griswold, Haile, Henley of Mendocino, Hihn, Horan, Johnson, Kelley, King, Lambert, Lewelling, Martin of Butte, McMurry of El Dorado, McMurry of Trinity, Murphy of Del Norte and Klamath, Naphtaly, O'Connell, Odell, Pool, Power, Rockwell, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Thurston and Williams—37

NOES—Messrs Berry, Brown of Amador, Doss, Duffy, Fryer, Hubner, Hudson, Koutz, Martin of Siskiyou, McClaskey, Mooney, Robinson and Ryan—13.

Mr. Finney was excused for the remainder of the day, and Mr. Calderwood was granted leave of absence for one day

Messrs G. R. B. Hayes and Ryan were allowed to record their votes in favor of the passage of Senate Bill No 183—In reference to the geological survey.

At four o'clock and thirty-five minutes p m Mr. Mooney moved to adjourn.

Lost.

Senate Bill No. 307—An Act to provide for the sale and conveyance of certain submerged lands in the City and County of San Francisco to Henry B. Tichenor.

Read a third time and passed; title approved.

Mr. Doss gave notice that on to-morrow he would move to reconsider the vote passing the bill

At four o'clock and forty minutes p. m., on motion of Mr. Ryan, the House took a recess till seven o'clock p. m.

EVENING SESSION.

At seven o'clock p. m the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

The Speaker presented a communication, as follows :

SACRAMENTO, March 21st, 1870.

Hon. G. H. Rogers, Speaker of Assembly :

SIR: The appropriation for per diem and mileage of Assembly for the eighteenth session is nearly exhausted. A deficiency appropriation of twelve thousand dollars will be necessary to carry through the session.

Very respectfully,

ROBERT WATT,
Controller.

Referred to the Committee on Ways and Means.

The Committee on Claims were excused for the evening session.

Mr. Hubner, from the San Joaquin delegation, by leave, made the following report:

MR. SPEAKER: The San Joaquin delegation, to whom was referred Senate Bill No. 568—An Act to reincorporate the City of Stockton—have had the same under consideration, and recommend its passage.

HUBNER, for Delegation.

On motion of Mr. Hubner, the rules were suspended and the above reported bill taken up

Read a third time and passed; title approved.

SPECIAL FILE.

Senate Bill No. 361—An Act to improve the navigation of King's River.

Read a third time

Mr. Appling moved to indefinitely postpone the bill.

Mr. Pool moved the previous question.

Sustained

On the motion to indefinitely postpone the bill, the ayes and noes were demanded by Messrs. Appling, McMurry of Trinity, and Martin of Siskiyou, and the House refused, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Yuba, Haile, Henley of Sonoma, Hudson, Koutz, Martin of Siskiyou, McMurry of Trinity, Munday, Pool, Power, Sammons, Satterwhite, Shores, Slicer and York—19.

NOES—Messrs. Brown of Amador, Calderwood, Carothers, Crigler, Duffy, Finney, Freeman, M. Hayes, Henley of Mendocino, Johnson, Kelley, King, Lambert, Martin of Butte, McMillan, McMurry of El Dorado, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Odell, Rockwell, Ryan, Scarce, Stephens, Thomas and Thurston—30.

On motion of Mr. Biggs, the bill was passed on the file.

Assembly Bill No. 432—An Act for the relief of L. P. Hall and S. J. Garrison.

Read a third time.

Mr. Finney moved to indefinitely postpone the bill.

Mr. Murphy of Del Norte moved the previous question.

Lost.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded by Messrs. Satterwhite, Haile and Eichelroth, and the House refused, by the following vote :

AYES—Messrs. Andrews, Berry, Blankenship, Brown of Amador, Calderwood, Carothers, Crigler, De Haven, Duffy, Finney, Fortune, Haile, Hihn, Hubner, Koutz, Lewelling, McClaskey, McMurry of El Dorado, McMurry of Trinity, Munday, Murphy of Del Norte and Klamath, Power, Rockwell, Sammons, Satterwhite, Stephens, Thomas, Waldron and York—29.

NOES—Messrs. Appling, Biggs, Eichelroth, Escandon, Freeman, Fryer, Gildea, Green, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Horan, Hudson, Johnson, Kelley, King, Martin of Butte, Martin of Siskiyou, McMillan, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Romer, Ryan, Scarce, Shores, Slicer, Thurston, Walden, Williams and Mr. Speaker—41.

On the passage of the bill, the ayes and noes were demanded by Messrs. Murphy of Del Norte, McMurry of Trinity and McMurry of El Dorado, and it passed, by the following vote :

AYES—Messrs. Appling, Biggs, Eichelroth, Escandon, Freeman, Fryer, Gildea, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Horan, Hudson, Johnson, Kelley, King, Martin of Butte, Martin of Siskiyou, McMillan, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Romer, Ryan, Scarce, Shores, Slicer, Walden, Williams and Mr. Speaker—39.

NOES—Messrs. Andrews, Berry, Blankenship, Brown of Amador, Calderwood, Carothers, Crigler, De Haven, Duffy, Finney, Fortune, Haile, Hihn, Hubner, Koutz, Lewelling, McClaskey, McMurry of El Dorado, McMurry of Trinity, Munday, Murphy of Del Norte and Klamath, Power, Rockwell, Sammons, Satterwhite, Stephens, Thomas, Waldron and York—29.

Title approved.

Mr. McMurry of El Dorado introduced a bill for an Act granting leave of absence to James B. Hume, Sheriff of El Dorado County.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed ; title approved.

Mr. Blankenship, from the Committee on Engrossment, made the following report :

Mr. SPEAKER : Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 53⁹—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals on private property, approved March twenty-sixth, eighteen hundred and sixty-six.

Also, Assembly Bill No 218—An Act to amend an Act entitled an Act to authorize the formation of corporations to provide the members thereof with homesteads and lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty.

Also, Assembly Bill No. 519—An Act to grant certain salt marsh and tide lands to the inhabitants of the Town of Santa Cruz

Also, Assembly Bill No. 613—An Act to amend section one of an Act entitled an Act to authorize the Board of Supervisors of Del Norte County to levy a special tax and create a Redemption Fund for the payment of county indebtedness.

Also, Assembly Bill No. 353—An Act granting certain privileges to the Potrero and Bay View Railroad Company.

Also, Assembly Bill No. 493—An Act to increase the number of Notaries Public for Stanislaus and Merced Counties.

Also, Assembly Bill No. 525—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, approved May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 509—An Act to authorize the construction of a wagon toll road from or near the ranch of R Nichols, on the Fresno River, Fresno County, to the Mammoth Tree Grove, etc.

Also, Assembly Bill No. 679—An Act amendatory of and supplemental to an Act to authorize the establishment of a Board of Health in the City of Sacramento, approved March twenty-seventh, eighteen hundred and sixty eight

Also, Assembly Bill No. 641—An Act to amend an Act entitled an Act to reincorporate the City of Sonora, approved April tenth, eighteen hundred and sixty-two.

Also, Assembly Bill No 424—To authorize the Board of Trustees of the City of Benicia to subscribe to the capital stock of a railroad and to issue bonds in payment thereof, and other matters relating thereto.

BLANKENSHIP, for Committee.

Assembly Bill No. 560—An Act to adjust and pay losses sustained by John Nugent.

Mr. Mooney moved to strike out the enacting clause of the bill.

On which the ayes and noes were demanded by Messrs. McMillan, Moynihan and Griswold, and the motion prevailed, by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Crigler, Finney, Fortune, Freeman, Fryer, Haile, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, King, Koutz, Lewelling, Martin of Butte, Martin of Siskiyou, McMillan, McMurphy of El Dorado, McMurphy of Trinity, Miller of El Dorado, Miller of Marin, Mooney, Munday, Murphy of Santa Clara, Naphtaly, Newell, Power, Satterwhite, Scarce, Shores, Slicer, Thomas, Waldron, Williams and York—44.

NOES—Messrs. Appling, Duffy, Escandon, Gildea, Griswold, M. Hayes, Kelley, Moynihan, Oates, O'Connell, Pool, Rockwell, Romer, Ryan, Stephens, Walden and Mr. Speaker—17.

Mr. McMillan gave notice that on to-morrow he would move to reconsider the vote just taken.

Assembly Bill No 622—An Act to encourage the building of railroads in Contra Costa County.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

At nine o'clock and twenty-seven minutes p. m. Mr. Blankenship moved to adjourn.

On which the ayes and noes were demanded by Messrs. Satterwhite, McMurry of Trinity and Shores, and the House refused, by the following vote:

AYES—Messrs Appling, Blankenship, Brown of Amador, Brown of Yuba, Finney, Fryer, Haile, Hawley, Hihn, Horan, Koutz, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of Trinity, Miller of El Dorado, Mooney, Munday, Murphy of Santa Clara, Newell, Oates, O'Connell, Odell, Romer, Satterwhite, Slicer, Stephens, Walden and York—29.

NOES—Messrs Andrews, Berry, Biggs, Carothers, Crigler, De Haven, Duffy, Fortune, Freeman, Gildea, Griswold, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, Kelley, King, Lewelling, McMillan, McMurry of El Dorado, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Pool, Power, Sammons, Scarce, Shores, Thomas, Waldron, Williams and Mr. Speaker—35

Assembly Bill No. 457—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street

Amended and amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 591—An Act to incorporate the Town of Hornitos.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 271—An Act to divide the County of Colusa into assessment districts for the election of District Assessors and define their duties, liabilities and compensation.

Amendments adopted

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 624—An Act to separate the office of County Recorder from the office of County Clerk, in the County of Yolo.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

At nine o'clock and fifty-five minutes p. m., on motion of Mr. Finney, the House adjourned

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.

Tuesday, March 22d, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Naphtaly, from the Judiciary Committee, made the following report :

MR. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No 495—An Act regulating the collection of delinquent taxes in the County of Alameda—respectfully report that they have had said bill under consideration, and report the same back and recommend the passage of the bill

They have also considered Assembly Bill No. 485—An Act to amend section two of an Act supplemental to and amendatory of an Act to regulate the interest on money, approved March thirteenth, eighteen hundred and fifty, approved March thirtieth, eighteen hundred and sixty-eight—and respectfully report the same back and recommend the passage of the bill.

They have also considered Assembly Bill No. 601—An Act to amend an Act entitled an Act to amend sections seven, five hundred and thirty-five and five hundred and forty-one of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one—and respectfully report the same back, and a majority of your committee recommend the passage of the bill

They have also considered Senate Bill No 59—An Act to provide for the appointment of a Reporter of the Supreme Court, and to define his duties and compensation—and respectfully report the same back with a substitute, and a majority of your committee recommend the passage of the substitute

They have also considered Assembly Bill No. 563—An Act in relation to libels—and respectfully report the same back, and a majority of your committee recommend that the bill be indefinitely postponed

NAPHTALY, Chairman.

Mr Lambert, from the Committee on Ways and Means, made the following report :

MR. SPEAKER: The Committee of Ways and Means have had under consideration the subject of the communication of the Controller of State, relative to the deficiency of the appropriation for per diem and mileage of members of the Legislature at its eighteenth session—and they herewith report a bill supplying such deficiency, and recommend the passage of the same

LAMBERT, Chairman.

On motion of Mr. Lambert, the rules were suspended and the above reported bill—An Act to appropriate money for the per diem and mileage of the Legislature—was taken up.

Read first and second times.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back and passage recommended

By unanimous consent, bill read a third time and passed; title approved.

The bill was ordered transmitted immediately to the Senate.

Mr. Kelley, from the Committee on Agriculture, made the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 653—An Act to secure a lien on live stock, kept, fed or pastured by ranch men and stable keepers—have had the same under consideration, and report it back and recommend its passage.

Also, Assembly Bill No. 614—An Act to provide for the importation of birds—report the same back and recommend it do not pass

KELLEY, Chairman

Mr. Horan, from the Committee on Claims, made the following reports:

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 603—An Act to provide compensation for the revision of the laws—having had the same under consideration, report said bill back and recommend that it pass.

HORAN, Chairman.

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 514—An Act for the relief of J. Scott Ashman—have considered the same, and from the evidence believe the claim to be a just one and should be paid; and the majority of the committee recommend the passage of the same.

HORAN,
POOL.

MR. SPEAKER: Your committee to whom was referred Assembly Bill No. 673—An Act for the relief of John Henry Blancy—report the same back and recommend that it be referred to the San Francisco delegation

Also, Assembly Bill No. 492—An Act for the relief of Frank S. Malone—report the same back without recommendation

Also, Senate Bill No. 387—An Act to authorize the payment of lost interest coupons upon certain State bonds—having considered the same, report said bill back and recommend that it pass.

HORAN, Chairman.

Assembly Bill No. 673, above reported, was referred to the San Francisco delegation.

Mr. Martin of Siskiyou made the following report:

MR. SPEAKER: Your Committee of Conference with the Senate committee, on Assembly Bill No. 429—An Act granting a street railroad franchise in the City and County of Sacramento—have met the Senate committee and considered said bill, together with the Senate substitute, and have unanimously agreed upon adopting the Senate substitute. We therefore respectfully recommend that the Assembly adopt the Senate substitute for said Assembly Bill No. 429.

MARTIN, Chairman.

The report was received and concurred in, and the Senate substitute adopted in accordance with the recommendation of the committee.

[Mr. Andrews in the chair.]

Mr. Ryan, from the San Francisco delegation, made the following report:

MR. SPEAKER: The undersigned, members of the San Francisco delegation, to whom was referred Senate Bill No. 447—An Act to make, open and establish a public street in the City and County of San Francisco, to be called Montgomery avenue, and to take private lands therefor—have had the same under consideration, and beg leave to report it back and recommend its passage.

RYAN,
GRISWOLD,
NAPHTALY,
ROCKWELL,
O'CONNELL,
FORTUNE,
M. HAYES,
G. R. B. HAYES,
ROMER.

On motion of Mr. Ryan, the rules were suspended and the above reported bill taken up.

Mr. Rogers offered an amendment, as follows: The first subdivision of section twelve shall read as follows: "First—Beginning at the north-west corner of Broadway and Kearny streets, and running thence westerly along the northern line of Broadway street to the eastern line of Leavenworth street; thence northerly along the line of said street to the Bay of San Francisco"

On the adoption of the amendment, the ayes and noes were demanded by Messrs Stephens, Freeman and McMillan, and the House refused, by the following vote:

AYES—Messrs Blankenship, Carothers, Freeman, Gildea, M. Hayes, Henley of Mendocino, Hudson, Inman, King, McMillan, Merritt, Mooney, Moynihan, Murphy of Del Norte and Klamath, Newell, Satterwhite, Stephens, Walden, Waldron, Williams and Mr. Speaker—21.

NOES—Messrs. Andrews. Appling, Biggs, Brown of Amador, De Haven, Doss, Duffy, Escandon, Finney, Fortune, Fryer, Green, Griswold, Hawley, G. R. B. Hayes, Horan, Hubner, Johnson, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, Miller of El Dorado, Miller of Marin, Munday, Naphtaly, Oates, Pool, Power, Robinson, Romer, Ryan, Scarce, Shoemaker, Shores, Slicer, Thomas, York and Young—39.

[Speaker in the chair]

Mr. McMillan moved to make the bill the special order for to-morrow, at two o'clock P. M.

Carried.

Mr. Stephens moved to suspend the rules to take up Senate messages.

Lost.

Mr. Blankenship, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 602—An Act to define and establish the boundary line between the Counties of Mono and Inyo.

Also, Assembly Bill No. 524—An Act to authorize and empower the President and Trustees of the City of San Diego and Los Angeles Railroad Company to aid in the construction of said railroad

Also, Assembly Bill No. 654—An Act to authorize the Assessor of Contra Costa County to employ a deputy.

Also, Assembly Bill No. 515—An Act to confer additional power upon the Board of Trustees of Suisun City, and for other purposes.

Also, Assembly Bill No. 615—An Act granting leave of absence to John Gale, District Attorney of Sierra County.

Also, Assembly Bill No. 650—An Act to authorize the Board of Supervisors of Marin County to transfer certain funds

Also, Assembly Bill No. 609—An Act to legalize and provide for the collection of delinquent taxes in the County of Yolo for the fiscal year commencing March first, eighteen hundred and sixty-nine.

Also, Assembly Bill No. 651—An Act to appropriate money for the purpose of properly inclosing the grave of the late Hon. James B. Smith, and to erect a monument to his memory.

Also, Assembly Bill No. 678—An Act relative to a supply of water for the City of Sacramento.

BLANKENSHIP, for Committee.

Mr. Newell, from the Committee on Roads and Highways, made the following report:

MR. SPEAKER: The Committee on Roads and Highways, to whom was referred Senate Bill No. 541—An Act to provide for the construction of a wagon road from Redwood City to the Town of Pescadero, in the County of San Mateo, and other matters relating thereto—have had the same under consideration, and report it back and recommend its passage.

NEWELL, Chairman.

On motion of Mr. Finney, the rules were suspended and the above reported bill taken up.

Mr. Henley of Sonoma moved to make the bill the special order for Thursday, at half-past two o'clock P. M.

Lost.

Read a third time.

Mr. Henley of Mendocino moved to make the bill the special order for half-past seven o'clock P. M. this evening.

Lost

Mr. Biggs moved to make it the special order for eight o'clock P. M.

Lost.

Mr. M. Hayes moved to recommit to the Committee on Roads and Highways, to report it back to-morrow.

The House refused to recommit.

Mr. Gildea moved to place the bill at the top of the special file for Monday evening next.

Mr. Martin of Butte moved the previous question

Sustained.

On the motion of Mr. Gildea, the ayes and noes were demanded by Messrs. Duffy, Walden and Calderwood, and the House refused, by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Blankenship, Brown of Yuba, Fortune, Freeman, Gildea, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Kelley, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of Marin, Munday, Naphtaly, Oates, O'Connell, Odell, Rockwell, Ryan, Slicer, Stephens, Thurston and Mr. Speaker—35.

NOES—Messrs. Appling, Calderwood, Carothers, De Haven, Doss, Duffy, Eichelroth, Finney, Fryer, Green, Haile, Hihn, Hubner, Inman, Johnson, King, Koutz, Lewelling, Miller of El Dorado, Murphy of Del Norte and Klamath, Pool, Power, Robinson, Romer, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Thomas, Walden, Waldron, Williams, York and Young—35.

At half-past twelve o'clock p. m. the House took a recess.

REASSEMBLED.

At half-past one o'clock p. m. the House reassembled.

Speaker in the chair.

Roll called

Quorum present.

Senate Bill No. 541 resumed.

On the passage of the bill, the ayes and noes were demanded by Messrs. Finney, Doss and York, and it passed, by the following vote :

AYES—Messrs. Blankenship, Brown of Amador, Carothers, De Haven, Doss, Duffy, Eichelroth, Escandon, Finney, Fryer, Haile, Hawley, G. R. B. Hayes, M. Hayes, Hubner, Johnson, King, Koutz, Lambert, Lewelling, McClaskey, McMillan, McMurry of El Dorado, Miller of El Dorado, Naphtaly, Power, Robinson, Sammons, Satterwhite, Scarce, Shores, Walden, Waldron, Williams, York and Young—35.

NOES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Fortune, Freeman, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Inman, Martin of Butte, Martin of Siskiyou, Merritt, Miller of Marin, Moynihan, Munday, Murphy of Santa Clara, Odell, Pool, Rockwell, Shoemaker, Slicer, Thomas, Thurston and Mr. Speaker—26.

Title approved.

Mr. M. Hayes gave notice that on to-morrow he would move to reconsider the vote just taken.

Mr. Rockwell moved to reconsider the vote by which Senate Bill No 307 passed on yesterday.

Mr. Naphtaly moved to indefinitely postpone the motion to reconsider.

Mr. Biggs moved the previous question.

Sustained.

When the motion of Mr. Naphtaly prevailed, and the motion to reconsider was indefinitely postponed.

Mr. Martin of Butte offered the following resolution, by leave :

Resolved, That all Senate bills of a general nature be placed at the foot of the Assembly file, and kept there until the numerous Assembly bills which are in the hands of Senate committees receive proper attention.

Mr. Martin of Butte moved to suspend the rules to place the resolution on its passage.

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

Carried.

REPORT.

Mr. Fryer, from the Los Angeles delegation, made the following report :

Mr. SPEAKER : The Los Angeles delegation, to whom was referred Senate Bill No. 570, have had the same under consideration, report the same back and recommend its indefinite postponement.

FRYER, for Delegation.

On motion, the bill above reported was indefinitely postponed.

SPECIAL ORDER.

The special order for two o'clock P. M., motion to reconsider vote striking enacting clause out of Assembly Bill No. 214—An Act to establish the California State Board of Immigration—was taken up.

On motion of Mr. Gildea, the special order was postponed to Thursday next, at two o'clock P. M.

Amendment to the Constitution of the State of California—To strike out the word "male" in article two, section one.

[Mr. Martin of Butte in the chair.]

Mr. Satterwhite moved the previous question.

Sustained.

On the engrossment of the proposed amendment to the Constitution, the ayes and noes were demanded by Messrs. Haile, Blankenship and Finney, and the House refused, by the following vote :

AYES—Messrs Calderwood, Carothers, Duffy, Finney, Henley of Mendocino, Johnson, Kelley, King, Lewelling, Martin of Butte, McMillan, McMurry of El Dorado, Merritt, Mooney, Murphy of Santa Clara, O'Connell, Power, Robinson, Shoemaker. Shores, Thurston, Williams and York—23.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, De Haven, Doss, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Koutz, Lambert, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, Odell, Pool, Ryan, Sammons, Satterwhite, Scarce, Slicer, Thomas, Walden, Waldron, Young and Mr. Speaker—47.

Mr Murphy of Del Norte gave notice that on to-morrow he would move to reconsider the vote just taken.

The special order for two o'clock P. M., being Assembly Bills Nos. 644 and 670, was, on motion of Mr. Haile, postponed and made the special order for to-morrow, at eleven o'clock A. M.

REPORT.

Mr. Fryer, from the Committee on Contingent Expenses, made the following report :

Mr SPEAKER: The Committee on Contingent Expenses, to whom was referred the resolution to allow the Sergeant-at-Arms pay for mileage and services performed by the order of the Legislature—have had the same under consideration, and hereby beg leave to report the same back and recommend its adoption.

FRYER,
HENLEY of Sonoma.

Resolved, That the sum of (\$338 50) three hundred and thirty-eight and fifty one-hundredths dollars be and the same is hereby appropriated, out of the Contingent Fund of the Assembly, to Dana Perkins, Sergeant-at-Arms. for mileage and service of subpoenas upon returns before the special Investigating Committee and Committee on Corporations.

Adopted.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 21st. 1870.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 510—An Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 597—An Act to regulate the drawing of warrants on the Treasurer of Shasta County.

Also, Assembly Bill No. 363—An Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo.

Also, Assembly Bill No. 520—An Act fixing the times at which the Board of Supervisors of the County of San Joaquin shall hold their regular sessions.

Also, Assembly Bill No. 450—An Act concerning the roads and highways in the Counties of Santa Cruz and San Diego.

H. H. HAIGHT,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 21st. 1870.

To the Assembly of the State of California :

I herewith return to your honorable body, without my approval, Assembly Bill No. 126—An Act to authorize the Waucoma Water Com-

pany to construct aqueducts over certain lands therein named and to lay down water pipes in the public streets of the City of San Diego and Town of South San Diego.

Also, substitute for Assembly Bill No. 3—An Act to authorize a railroad to be laid down in certain of the streets of the City and County of San Francisco for grading purposes.

The first of these bills is entirely superfluous, as the whole subject is already fully provided for in the general law concerning water companies. The last bill is a special franchise in San Francisco, where there is a local Board to which such matters ought to be confided. Both of these bills belong to the same class of special bills to which the objections heretofore stated apply with full force, and they are accordingly returned for further consideration by your honorable body.

H. H. HAIGHT,
Governor.

Assembly Bill No. 126, returned from the Governor without his approval.

The question being "Shall the bill pass, notwithstanding the objections of the Governor?" the roll was called, and the House refused to so pass the bill, by the following vote :

Ayes—Messrs. Escandon, Hawley, Henley of Mendocino, King, Munday, Robinson, Rockwell, Ryan, Satterwhite and York—10.

Noes—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Carothers, De Haven, Doss, Duffy, Eichelroth, Finney, Fortune, Fryer, Gildea, Griswold, Haile, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Johnson, Kelley, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Murphy of Del Norte and Klamath, Naphtaly, Newell, Odell, Pool, Scarce, Shoemaker, Shores, Slicer, Thomas, Thurston, Waldron, Williams and Mr. Speaker—49.

Substitute for Assembly Bill No. 3, returned from the Governor without his approval.

On motion of Mr. Ryan, the message of the Governor returning substitute for Assembly Bill No. 3, without his approval, was made the special order for Monday next, at two o'clock P. M.

MOTIONS AND RESOLUTIONS.

Mr. Ryan offered the following resolution :

Resolved, That Messrs. York and Green be added to the Committee on Enrolment.

Adopted.

Mr. Fortune offered a resolution, that John Leary and John Riley, Porters, be allowed one dollar a day for extra services.

Referred to the Committee on Contingent Expenses.

Mr. Hubner offered a resolution, that the Sergeant-at-Arms be directed to collect all furniture in the committee rooms, outside of the Capitol, and deliver the same to the Secretary of State, as soon as the rooms are vacated.

On motion of Mr. Satterwhite, laid on the table.

Mr. O'Connell offered a concurrent resolution in reference to American citizens now held in prison by the British Government, for alleged political offences

Read first and second times and referred to the Committee on Federal Relations, with instructions to report the same to-morrow.

Mr. Shores offered a resolution, to allow William Simpson and P. H. Lutrell, Watchmen, each one dollar a day additional pay during the session.

Referred to the Committee on Contingent Expenses.

Mr. Inman offered the following :

Resolved, That the Engrossing Clerk be and he is hereby directed to amend section six, in Assembly Bill No. 652—An Act to divide the City of Oakland into wards and to provide for the holding of elections therein—by striking out "eighteen hundred and seventy," after the words "on the third Monday in April, A. D.," and inserting "eighteen hundred and seventy-one."

On motion of Mr Gildea, laid on the table.

Mr. Fortune offered the following resolution :

Resolved, That this House do meet each day, at nine o'clock A. M.

Laid on the table.

Mr. Doss made the following report :

Mr. SPEAKER : Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 652—An Act to divide the City of Oakland into wards and to provide for the holding of elections therein.

DOSS, for Committee.

MOTIONS AND RESOLUTIONS.

Mr. Martin of Santa Clara moved to suspend the rules, to take up Assembly Bill No. 635.

Lost

Mr. Horan offered a resolution, that George Bingham be allowed one dollar a day for services rendered in hoisting the flag on the dome of the Capitol.

Referred to the Committee on Contingent Expenses

Mr. Henley of Sonoma offered the following resolution :

Resolved, That the Secretary of State be requested to immediately furnish this House with a copy of the articles of incorporation of the South Beach Land Association, now on file in his office, for information and examination.

Adopted.

Mr. Ryan, from the Committee on Enrolment, made the following report :

Mr. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No 683 —An Act to appropriate money for per diem and mileage of the Legislature.

And this day, at twelve o'clock and thirty minutes P. M., presented the same to the Governor for his approval.

RYAN, Chairman.

Mr. Gildea moved to take from the table the concurrent resolution in reference to adjourning *sine die*.

Lost.

Mr. Naphtaly moved to reconsider the vote by which substitute for Senate Bill No. 584 passed on yesterday.

The vote was reconsidered.

Mr. G. R. B. Hayes offered an amendment to the bill.

Adopted.

Mr. Biggs moved to refer the bill to the Railroad Committee.

Lost

Read a third time.

Mr. G. R. B. Hayes moved the previous question.

Sustained.

The question being on the passage of the bill, it passed; title approved.

Mr. Horan moved to suspend the rules, to take up Senate messages

Lost.

Mr. Inman offered the following resolution:

Resolved, That the State Printer be and he is hereby authorized to print and furnish to the members of this House the usual number of copies of the minority reports of the Committee on Printing on Assembly Bill No. 573, concerning the office of State Printer; and Senate Bill No. 467, in relation to the establishing of a State Paper.

Laid on the table, on motion of Mr. Haile.

SENATE MESSAGES.

The following messages were received from the Senate:

SENATE CHAMBER,
March 21st, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on the sixteenth day of March, passed Senate Bill No. 342—An Act supplemental to an Act concerning public ferries and toll bridges, approved April twenty-eighth, eighteen hundred and fifty-five.

And, on the eighteenth, passed Senate Bill No. 621—An Act concerning wharves.

Also, Senate Bill No. 613—An Act granting leave of absence to Thomas H. Holt, Auditor of the City and County of San Francisco

Also, Senate Bill No. 618—An Act to grant leave of absence to the Surveyor-General and Register of the State Land Office.

Also, Senate Bill No. 619—An Act to amend section one of an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Los Angeles, approved March fifth, eighteen hundred and sixty-eight, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 626—An Act to amend an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-seventh, eighteen hundred and seventy.

Also, Senate Bill No. 612—An Act concerning gas companies.

Also, Senate Bill No. 624—An Act to authorize the City of San José

to sell certain lands and use the proceeds thereof in purchasing sites for public school houses

Also, Senate Bill No. 623—An Act supplementary to and amendatory of an Act to provide for the location and maintenance of public roads in the County of Nevada, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 625—An Act to authorize the Board of Supervisors of Santa Clara County to issue bonds and apply the proceeds thereof to the purchasing of school and other furniture for the State Normal School.

Also, Senate Concurrent Resolution No. 55—Relative to disputed territory between Arizona and California.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 21st, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on March nineteenth, passed Senate Concurrent Resolution No. 56—Authorizing Enrolling Committee to make correction in Senate Bill No. 556.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 22d, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on this day, adopted Senate resolution—Relative to returning to the Senate, Senate Bill No. 571—An Act to amend an Act entitled an Act to grant the right to construct a bridge across the Sacramento River, between the City of Sacramento and the Town of Washington, to certain parties therein named, approved April third, A. D. eighteen hundred and fifty-seven—for the purpose of amending the same.

ROBERTS,
Secretary.

SENATE CHAMBER,
March 22d, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, passed substitute for Senate Bill No. 562—An Act for the encouragement of agriculture.

Also, Senate Bill No. 455—An Act to establish and maintain public pounds in the several townships of the County of San Mateo.

Also, Senate Bill No. 632—An Act concerning the offices of County Clerk and County Surveyor of the County of Los Angeles.

Also, Senate Bill No. 500—An Act relative to the care and management of the State burial grounds and making an annual appropriation therefor.

Also, Senate Bill No. 306—An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

ROBERTS,
Secretary.

SENATE CHAMBER,
March 22d, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, concurred in Assembly Concurrent Resolution No. 59—Requesting the Governor to return for correction Assembly Bill No 423—An Act reorganizing the Board of Supervisors of Marin County, prescribing their duties and redistricting said county.

Also, adopted Senate concurrent resolution, requesting the Governor to return Senate Bill No. 543—An Act authorizing the sale of certain legal tender notes—for further consideration.

Also, concurred in Assembly Concurrent Resolution No 41—Granting leave of absence to J. W. Graham, County Treasurer of Klamath County.

And passed Assembly Bill No 631—An Act granting leave of absence from the State to H. L. Waldo, District Attorney of Amador County.

Also, Assembly Bill No. 576—An Act to authorize the Treasurer of Lassen County to pay Wm. Williams a certain sum of money adjudged to be due him for erecting the county buildings of said county.

Also, Assembly Bill No. 451—An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose—Senate receded from its amendment, to wit, the substitute heretofore adopted, and amended by simple amendment, and asks the Assembly, respectfully, to concur in amendment.

And Senate refused to recede from its amendment to Assembly Bill No 196, and appointed a Committee of Conference on part of Senate.

And passed Senate Concurrent Resolution No. 58—Granting leave of absence to J. F. Eastman.

ROBERTS,
Secretary.

SENATE CHAMBER,
March 22d, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, amended and passed, under suspension of the rules, Assembly Bill No. 643—An Act amendatory of and supplementary to an Act, approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Also, Assembly Bill No. 683—An Act to appropriate money for per diem and mileage of the Legislature.

ROBERTS,
Secretary.

SENATE CHAMBER,
March 22d, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Senate Resolution No. 58—Requesting Assembly to return Assembly Bill No. 451, for amendment.

MARDIS,
Assistant Secretary.

So ordered.

CONSIDERATION OF SENATE MESSAGES

Senate Concurrent Resolution No. 57, above reported, adopted.

Senate Concurrent Resolution No 56, above reported, adopted.

Senate Concurrent Resolution No. 58, above reported, read first and second times and referred to the Yuba delegation.

Senate Concurrent Resolution No. 55, above reported, read first and second times and referred to the Committee on Federal Relations.

Senate Bill No. 625, above reported, read first and second times and referred to the Santa Clara delegation.

Substitute for Senate Bill No 562, above reported, read first and second times and referred to the Committee on Agriculture.

Senate Bill No. 455, above reported, read first and second times and referred to the San Mateo delegation.

Senate Bill No. 342, above reported, read first and second times and referred to the Plumas and Butte delegations

Senate Bill No. 621, above reported, read first and second times and ordered on the general file.

Senate Bill No 624, above reported, read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved

Senate Bill No. 632, above reported, read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No 306, above reported, read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved

Senate Bill No. 613, above reported, read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved

Senate Bill No. 500, above reported, read first and second times.

Considered in Committee of the Whole.

[Mr. Martin of Butte in the chair.]

IN ASSEMBLY.

Reported back and passage recommended.

Rules suspended and, by unanimous consent, read a third time and passed; title approved.

Assembly Bill No. 441, above reported, Senate amendments to the bill concurred in.

Assembly Bill No. 643. above reported, Senate amendments to the bill concurred in.

Assembly Bill No 196, above reported.

Mr. Murphy of Santa Clara moved that the House appoint a Committee of Free Conference to consider said bill.

Agreed to.

The Chair subsequently appointed as such committee, on the part of the House, Messrs Robinson, Mooney and Fryer.

At four o'clock and forty minutes P. M., on motion of Mr. Satterwhite, the House took a recess until seven o'clock P. M.

EVENING SESSION.

At seven o'clock P. M. the House reassembled.

Speaker pro tem. in the chair.

Roll called.

Quorum present.

Messrs. Crigler and De Haven were granted indefinite leave of absence.

REPORTS.

Mr. McClaskey, from the Committee on Swamp and Overflowed Lands made the following report :

Mr. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 271—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-five; and Senate Bill No. 588—An Act to authorize the Board of Supervisors of Yolo County to retain counsel to prosecute or defend proceedings in relation to claims against Swamp Land District Number Eighteen; and Assembly Bill No. 399—An Act to provide for the payment of the interest upon certain Controller's warrants—having had the same under consideration, report the same back and recommend the passage thereof.

McCLASKEY, Chairman.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 231—An Act to district the County of San Diego and to provide for the election of Supervisors.

Also, Assembly Bill No. 565—An Act to authorize the payment of certain claims against Redwood Township, in the County of San Mateo.

Also, Assembly Bill No. 209—An Act to authorize the Board of Supervisors of Butte County to direct the issuance of a warrant to W. S. Reese.

Also, Assembly Bill No. 369—An Act for the relief of Amos Roberts, Sheriff of Solano County.

Also, Assembly Concurrent Resolution No. 41—Granting leave of absence to J. W. Graham, County Treasurer of Klamath County.

Also, Assembly Bill No. 576—An Act to authorize the Treasurer of Lassen County to pay Wm. Williams a certain sum of money, adjudged to be due him for erecting the county buildings of said county.

Also, Assembly Bill No. 631—An Act granting leave of absence from the State to Henry L. Waldo, District Attorney of Amador County.

Also, Assembly Bill No. 420—An Act to separate the office of County Recorder from the office of County Clerk of the County of Yuba.

And this day, at four o'clock and fifteen minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. Biggs, from the Committee on Public Buildings and Grounds, made the following report :

Mr. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 592—An Act for the protection of forest timber in the State of California—have had the same under consideration, and report the same back without recommendation

BIGGS; for Committee.

SPECIAL FILE.

Senate Bill No. 361—An Act to improve the navigation of Kings river.

Mr. Duffy moved to indefinitely postpone the bill.

On which the ayes and noes were demanded by Messrs. Duffy, Calderwood and Moynihan, and the motion prevailed, by the following vote:

AYES—Messrs Andrews, Appling, Berry, Biggs, Blankenship, Brown of Yuba, Calderwood, Carothers, Doss, Duffy, Eichelroth, Finney, Haile, Hihn, Hudson, Johnson, Kelley, Koutz, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Munday, Murphy of Del Norte and Klamath, Oates, Pool, Power, Robinson, Scarce, Shores, Slicer, Waldron and York—32.

NOES—Messrs. Brown of Amador, Gildea, Green, Henley of Mendocino, Horan, King, McClaskey, Mooney, Moynihan, Odell, Ryan and Stephens—12.

Senate Bill No 11—An Act to grant to certain parties the right of way for a railroad track within the corporate limits of the City and County of San Francisco.

Mr. Haile moved to indefinitely postpone the bill.

Lost.

Bill read a third time

On the passage of the bill, the ayes and noes were demanded by Messrs. Andrews, Moynihan and Haile, and it passed, by the following vote:

AYES—Messrs Appling, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Duffy, Eichelroth, Escandon, Fortune, Fryer, Gildea, Hawley, G. R B Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Johnson, Kelley, King, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Stephens, Thurston, Walden, Williams and York—44.

NOES—Messrs. Andrews, Berry, Biggs, Doss, Finney, Green, Haile, Hihn, Hudson, Inman, Koutz, Martin of Siskiyou, Oates, Power, Scarce, Shores and Waldron—17.

Title approved.

Mr. Moynihan gave notice that on to-morrow he would move to reconsider the vote just taken.

Senate Bill No. 347—An Act to amend an Act entitled an Act to authorize the City Council of the City of Oakland to improve the streets, lanes, courts and places in the said city, approved April fourth, eighteen hundred and sixty-four

Read a third time and passed; title approved.

Mr McMillan moved to reconsider the vote by which the enacting clause of Assembly Bill No. 560 was stricken out on yesterday

Mr Martin of Siskiyou moved to indefinitely postpone the motion to reconsider.

Lost.

On the motion to reconsider the vote, the ayes and noes were demanded by Messrs. McMurry of Trinity, Martin of Siskiyou, and Calderwood, and it prevailed, by the following vote:

AYES—Messrs. Appling, Blankenship, Brown of Amador, Doss, Duffy, Escandon, Fortune, Fryer, Gildea, Green, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Johnson, Kelley, King, McClaskey, McMillan, McMurry of El Dorado, Moynihan, Murphy of Del Norte and Klamath, Newell, Oates, O'Connell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Stephens, Thurston, Walden and York—36

NOES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Calderwood, Carothers, Finney, Hihn, Hubner, Hudson, Koutz, Lewelling, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Mooney, Munday, Power, Scarce, Shores, Slicer and Waldron—23.

Mr. Satterwhite offered a substitute for the bill.

Mr. Murphy of Del Norte moved to refer the bill and substitute to the Judiciary Committee, with special instructions to report the substitute, and that the same be placed third on the special file for to-morrow evening.

Carried

Senate Bill No. 57—An Act authorizing H. S. Sargeant and others to lay down and maintain a railroad in the City of Stockton and County of San Joaquin

Read a third time and passed ; title approved

Senate Bill No. 233—An Act for the relief of Thomas F. Davenport, late County Collector of Nevada County.

Considered in Committee of the Whole

[Speaker pro tem. in the chair.]

· IN ASSEMBLY.

Reported back and passage recommended.

Read a third time and passed ; title approved.

Assembly Bill No. 194—An Act to authorize James A. Shipman, Henry A. Carter, Thomas M. Howell, their associates and assigns, to construct a railroad from Ione City, in Amador County, to a point at or near Galt, in Sacramento County.

Amendment adopted and bill ordered engrossed.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

Assembly Concurrent Resolution No. 39—Asking Congress to make an appropriation for building purposes on certain lands in San Francisco

Rules suspended, resolution considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 571—An Act granting leave of absence to A. P. Overton, District Attorney of Sonoma County

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 431—An Act to authorize the construction of gas works and lay down gas pipe in the City of Oakland, County of Alameda

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 464 ordered to the top of the special file for Thursday evening.

On motion of Mr. Ryan, the rules were suspended to take up from the general file Senate Bill No. 469—An Act authorizing the publication of certain legal notices in a State paper printed at the seat of Government of the State of California.

Mr. Duffy offered an amendment, as follows: "*Provided* further, that all notices, legal or judicial, required to be published in the State paper, under the operation of this Act, will not be required to be published in any other paper."

On which the ayes and noes were demanded by Messrs. Lewelling, Brown of Amador and Duffy, and it was lost, by the following vote:

AYES—Messrs. Andrews, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Duffy, Escandon, Finney, Green, Henley of Mendocino, Inman, Koutz, Lewelling, Martin of Siskiyou, McMurry of El Dorado, Miller of El Dorado, Moynihan, Murphy of Del Norte and Klamath, Newell, Power, Shores, Waldron, Williams and York—25.

NOES—Messrs. Appling, Blankenship, Doss, Eichelroth, Fortune, Freeman, Fryer, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Sonoma, Horan, Hubner, Hudson, Johnson, Kelley, King, McMillan, Merritt, Miller of Marin, Mooney, Munday, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Scarce, Stephens, Thomas, Thurston, Walden and Mr Speaker—40.

Mr. Naphtaly offered an amendment.

Adopted.

Mr. G. R. B. Hayes moved the previous question.

On which the ayes and noes were demanded by Messrs. Andrews, Duffy, and Henley of Mendocino, and the House refused, by the following vote:

AYES—Messrs. Appling, Blankenship, Doss, Eichelroth, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Sonoma, Hihn, Horan, Kelley, King, McMillan, Merritt, Miller of Marin, Mooney, Munday, Murphy of Santa Clara, Naphtaly, Odell, Robinson, Rockwell, Romer, Satterwhite, Scarce, Stephens and Thomas—32.

NOES—Messrs. Andrews, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Duffy, Escandon, Finney, Green, Hubner, Hudson, Inman, Johnson, Koutz, Lewelling, Martin of Siskiyou, McClaskey, Miller of El Dorado, Moynihan, Murphy of Del Norte and Klamath, Newell, Oates, O'Connell, Pool, Power, Shores, Thurston, Waldron, Williams, York and Mr Speaker—32.

Mr. Duffy moved to amend by striking out all after "the State notices," in section one.

Lost.

Mr. Duffy offered an amendment, as follows: "*Provided*, that no proceedings shall be required to be published in such State paper from the several District Courts of this State."

Lost

Mr. Andrews moved to make the bill the special order for to-morrow, at half-past two o'clock p m

Lost

Mr. Duffy offered an amendment, to exempt certain counties from the provisions of the bill

At nine o'clock and forty-five minutes p. m. Mr. Biggs moved to adjourn.

Lost.

Mr. Mooney moved to lay the amendment on the table.

Lost

Mr. Satterwhite moved the previous question.

Sustained.

On the amendment offered by Mr. Duffy, the ayes and noes were demanded by the requisite number, and the House refused, by the following vote:

AYES—Messrs. Andrews, Berry, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Duffy, Escandon, Finney, Green, Hihn, Johnson, Koutz, Lewelling, Martin of Siskiyou, Miller of El Dorado, Moynihan, Murphy of Del Norte and Klamath, Newell, Power, Scarce, Shores, Thomas, Waldron, York and Mr. Speaker—26.

NOES—Messrs. Appling, Biggs, Blankenship, Doss, Eichelroth, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, Hawley, G R B. Hayes, M. Hayes, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Kelley, King, McClaskey, McMillan, Merritt, Miller of Marin, Mooney, Munday, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Stephens, Thurston and Walden—41.

Read a third time

On the passage of the bill, the ayes and noes were demanded by Messrs. Calderwood, Hudson and Shores, and it passed, by the following vote:

AYES—Messrs Appling, Biggs, Blankenship, Doss, Duffy, Eichelroth, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, Hawley, G R B. Hayes, M. Hayes, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Kelley, King, McMillan, Merritt, Miller of Marin, Mooney, Munday, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Ryan, Satterwhite, Scarce, Stephens, Thurston and Mr. Speaker—41.

NOES—Messrs. Andrews, Berry, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Escandon, Finney, Green, Hihn, Johnson, Koutz, Lewelling, Martin of Siskiyou, McClaskey, Miller of El Dorado, Moynihan, Murphy of Del Norte and Klamath, Newell, Power, Shores, Thomas, Waldron and York—24.

Title approved.

Mr. Duffy gave notice that on to-morrow he would move to reconsider the vote just taken.

Mr. Finney, by leave, introduced a bill for an Act amendatory of and supplementary to an Act entitled an Act to provide terminal depot grounds for the Terminal Central Railway Company, approved March twenty-eighth, eighteen hundred and sixty-eight

Read first and second times and referred to the Committee on Railroads

At ten o'clock and five minutes P. M., on motion of Mr. Brown of Amador, the House adjourned.

GEO. H. ROGERS.

Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
 Wednesday, March 23d, 1870. }

House met pursuant to adjournment.

Speaker in the chair

Roll called.

Quorum present

Journal of yesterday read and approved.

PETITION.

Mr Naphtaly presented a petition from the Directors of the Odd Fellows' Savings Bank, in San Francisco, praying for the repeal of the mortgage tax law

Received and laid on the table, until the bill concerning the same subject is taken up

REPORTS OF STANDING COMMITTEES.

Mr. Lambert, from the Committee on Ways and Means, made the following reports:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Senate Bill No 603—An Act to provide for the liquidation of all claims against the State, not otherwise provided for by law—have had the same under consideration, and report the bill back to the Assembly and recommend its passage

They have also considered Senate Bill No 523—An Act to authorize the Controller and Treasurer of State to transfer certain funds; also, Senate Bill No. 321—An Act to amend an Act entitled an Act in relation to personal mortgages in certain cases, approved May eleventh, eighteen hundred and fifty-three—and herewith report said bills back to the Assembly and recommend their passage.

LAMBERT, Chairman.

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No 410—An Act to provide for the payment of the State's portion of the salary of the County Auditor in the County of Mariposa—having been furnished with no vouchers or other evidence of the several sums asked by the bill to be appropriated, herewith report the bill back to the Assembly, and recommend that it do not pass

They have also considered Assembly Bill No 590—An Act to regulate interest on money—and report the bill back to the Assembly, and recommend that it do not pass.

LAMBERT, Chairman.

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No 195—An Act to appropriate money for the support and maintenance of the San Francisco Female Hospital—have considered the same, and herewith report the bill back and recommend its indefinite postponement—the appropriation asked for having been already made under the general bill making appropriations for charitable institutions.

LAMBERT, Chairman.

Mr. Romer, from the Committee on Railroads and Telegraphs, made the following report:

Mr. SPEAKER: Your committee, to whom was referred Assembly Bill No 556—An Act to empower the Counties of Stanislaus, Merced, Fresno and Tulare to aid in the construction of the Stockton and Visalia Railroad—have had the same under consideration, and beg leave to report that they find that a bill has passed both branches of the Legislature at the present session, entitled an Act to empower the Counties of Stanislaus, Merced, Fresno, Tulare and Kern to aid in the construction of a railroad in said counties, that said bill, among other things, provides that said counties shall, under certain conditions, issue their bonds in aid of said railroad, or any other railroad company which shall have first constructed its road through each of said counties, viz: Stanislaus, Merced, Fresno, Tulare and Kern.

It will thus be seen that legislation has already been provided for the construction of a railroad through said counties, and that the aforesaid Stockton and Visalia Railroad may, if it so desire, become a competitor for a subsidy similar to that asked for in Assembly Bill No 556, under consideration.

It is also the opinion of this committee that it would be inexpedient and unwise to pass another Act granting the same or similar provisions, the direct effects of which would be to create confusion in the minds of the electors of those counties; and inasmuch as it is regarded as a matter of vital importance to secure the construction of a railroad at an early day through the counties aforesaid, and fearing that a conflict might arise between rival parties, acting under separate and distinct Acts, that would result in defeating the measure and in the loss to the counties of the road, we therefore report the bill back without recommendation.

Also, have had under consideration Assembly Bill No 684—An Act amendatory of and supplementary to an Act to provide terminal depot grounds for the Terminal Central Pacific Railway Company, approved March twenty-eighth, eighteen hundred and sixty-eight, report the same back and recommend its passage.

ROMER, Chairman.

On motion of Mr. Romer, the rules were suspended and Assembly Bill No. 684, above reported, taken up.

Rules further suspended, bill considered engrossed, read a third time and passed; title approved.

On motion of Mr. Thurston, Assembly Bill No. 556, above reported, was taken up, under a suspension of the rules.

Rules further suspended, bill considered engrossed, read a third time.

Eleven o'clock A. M. being the hour for the special order—Assembly Bills Nos. 644 and 670—on motion of Mr. Hübner, the special order was temporarily postponed to conclude the consideration of the bill before the House.

REPORT

Mr. Ryan, from the Committee on Enrolment, made the following report:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 350—An Act authorizing the condemnation of private property within the

limits of the public streets of the City and County of San Francisco, within the Laguna survey

Also, Assembly Bill No 345—An Act to authorize the San Diego and Gila Southern Pacific and Atlantic Railroad Company, and its assigns, to construct, maintain and use a wharf or wharves in front of pueblo lots numbers one thousand one hundred and sixty-three and one thousand one hundred and sixty-four, at South San Diego, in the County of San Diego

Also, Assembly Bill No 143—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No 177—An Act to establish and define the powers and duties of the Board of Education of the City of Vallejo.

Also, Assembly Bill No 445—An Act concerning roads and highways in the County of Sutter

Also, substitute for Assembly Bills Nos 29 and 39—An Act to establish a Board of Police Commissioners for the City and County of San Francisco and to define their powers and duties.

And this day, at ten o'clock and thirty minutes A. M., presented the same to the Governor for his approval

RYAN, Chairman

On motion of Mr Martin of Butte, Assembly Bill No 556 was made the special order for half-past one o'clock to-morrow.

RESOLUTION.

Mr Naphtaly, by leave, offered a concurrent resolution, as follows :

Resolved by the Assembly, the Senate concurring. That the Enrolling Clerk of the Assembly is hereby authorized to add to section seven of Assembly Bill No 57—An Act to establish a quarantine for the Bay and Harbor of San Francisco and sanitary regulations for the City and County of San Francisco—at the end of said section, the following : “ All the salaries provided to be paid under the provisions of this Act shall be paid monthly, in equal instalments, out of the General Fund of said city and county, in the same manner as the salaries of the other officers of said city and county are paid ; and it shall be the duty of the Auditor of said city and county to allow and of the Treasurer to pay said salaries, in the manner herein provided.

Adopted

SENATE MESSAGE.

On motion of Mr. Satterwhite, the rules were suspended to take up the following Senate message :

SENATE CHAMBER,
March 23d, 1870. }

MR. SPEAKER : I am directed to inform the Assembly that the Senate, on the twenty-second instant, passed, under suspension of the rules, Senate Bill No. 611—An Act to legalize certain applications for the purchase of lands belonging to this State.

ROBERTS,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 618, reported from the Senate, read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved

Senate Bill No. 611, reported from the Senate, read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 619, reported from the Senate, read first and second times and referred to the Los Angeles delegation

Senate Bill No. 623, reported from the Senate, read first and second times and referred to the Nevada delegation

Senate Bill No. 612, reported from the Senate, read first and second times and referred to the Committee on Corporations.

Senate Bill No. 626, reported from the Senate, read first and second times and ordered on file.

REPORTS.

Mr. Kelley, from the Committee on Agriculture, made the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 562—An Act for the encouragement of agriculture—have had the bill under consideration, and report the same back without recommendation.

KELLEY, Chairman.

Mr. Naphtaly, from the Judiciary Committee, made the following report:

MR. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 560—An Act to adjust and pay losses sustained by John Nugent—with instructions to report this day upon the substitute on file for said bill, respectfully report that they have had said substitute under consideration, and report the same back without any recommendation

NAPHTALY, Chairman.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report:

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 441—An Act to authorize the Board of Trustees of the City of Sacramento to allow a certain claim therein mentioned

And this day, at ten o'clock and ten minutes A. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. Rockwell, from the San Francisco delegation, submitted the following report:

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 658—An Act to establish in the City of San Francisco a Labor and Employment Exchange, and to provide for its govern-

ment and support—have had the same under consideration, and herewith report it back and recommend its passage.

FORTUNE,
O'CONNELL,
MOYNIHAN,
ROCKWELL,
McMILLAN.
GRISWOLD.

Mr. Finney, from the San Mateo delegation, made the following report:

Mr. SPEAKER: The San Mateo delegation, to whom was referred Senate Bill No 455, beg leave to report the same back to the House and recommend its passage

FINNEY, for Delegation.

On motion of Mr Finney, the rules were suspended and the above reported bill was taken up.

Rules suspended. bill read a third time and passed; title approved

Mr. Merritt, from the Yuba delegation, made the following report:

Mr. SPEAKER: The Yuba delegation, to whom was referred Senate Concurrent Resolution No. 58—Granting leave of absence from the State to J Fred Eastman, Treasurer of Yuba County—respectfully report the same back and recommend its passage.

MERRITT, for Delegation.

Mr Merritt, from the Committee on Counties and County Boundaries, made the following report:

Mr. SPEAKER: The Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 669—An Act to provide for relocating the county seat of the County of Monterey, by the qualified electors of said county—respectfully report that they have had the said bill under consideration, and herewith report the same back and recommend its passage

MERRITT, Chairman.

On motion of Mr. Merritt, the rules were suspended to take up Senate Concurrent Resolution No. 58, above reported.

Read a third time and passed; title approved

Assembly Bill No. 669, above reported, was taken up, under a suspension of the rules, on motion of Mr. Blankenship.

Rules further suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Haile made the following report:

Mr. SPEAKER: Your joint committee of the Senate and Assembly, to whom were referred the several bills in regard to uniform ballots, beg leave to report that they have had the same under consideration, and report them back with a substitute, and recommend the passage of the substitute.

HAILE, for Assembly Committee

On motion of Mr. Haile, the above reported bills were made the special order for to-morrow, at eleven o'clock A. M.

Mr. Duffy was allowed to withdraw the notice of a motion to reconsider the vote by which Senate Bill No. 469 passed on yesterday.

MOTIONS AND RESOLUTIONS.

Mr. Murphy of Del Norte offered a resolution to allow the Clerk of the Committee on Claims one dollar per day during his term.

Referred to the Committee on Contingent Expenses.

Mr. Fortune moved to take from the table a resolution to change the hour of meeting to nine o'clock A. M.

Lost.

Mr. Ryan moved that Assembly Bill No. 681 be referred to the San Francisco delegation, with special instructions to report the same to-morrow, and that the bill be made the special order for to-morrow, at three o'clock P. M.

Carried.

The special order for eleven o'clock A. M. was now taken up, being Assembly Bill No. 644—An Act to establish and support a State Normal School, and Assembly Bill No. 670—An Act to provide for the construction of State Normal School buildings in the City of San José, and other matters relating thereto.

Mr. Haile offered a substitute for the bills.

Substitute adopted

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY

Bill reported back and passage recommended.

Rules suspended, bill considered engrossed, read a third time.

Mr. Duffy moved to strike out "three and one-half per cent" and insert "two per cent" as an annual ad valorem tax, and that the bill be referred to the Committee on Public Buildings and Grounds, with such special instructions

On which the ayes and noes were demanded by Messrs. Andrews, Munday and Appling, and the motion prevailed, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Doss, Duffy, Escandon, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMurphy of El Dorado, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Newell, O'Connell, Pool, Power, Shores, Slicer, Waldron and York—34.

NOES—Messrs. Calderwood, Carothers, Finney, Gildea, Green, Griswold, Haile, Hawley, Hihn, Horan, Johnson, Kelley, Lewelling, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Odell, Robinson, Romer, Ryan, Satterwhite, Scarce, Shoemaker, Stephens, Thomas, Thurston, Williams and Young—28.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

REPORTS.

Mr. Blankenship, from the Committee on Engrossment, made the following report :

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 684—An Act amendatory of and supplementary to an Act entitled an Act to provide terminal depot grounds for the Terminal Central Pacific Railway Company, approved March twenty-eighth, eighteen hundred and sixty-eight

BLANKENSHIP, for Committee

Mr Blankenship moved to reconsider the vote by which Senate Bill No 541 passed on yesterday.

Mr. Finney moved to indefinitely postpone the motion to reconsider. Carried.

Mr York, by leave, introduced a bill for an Act to provide for the construction of a wagon and turnpike road in the Counties of Mariposa and Tuolumne, from Chinese Camp to the Yosemite Valley

Read first and second times and referred to the Mariposa and Tuolumne delegations

Mr Robinson made the following report :

MR SPEAKER: Your Committee of Conference on Assembly Bill No 196 have had the same under consideration, and respectfully make the following report: The committee have agreed to strike out "the County of Mono," wherever it occurs in the bill, and have agreed to insert the following substitute for Senate amendment in regard to the County of Los Angeles, viz: "And to all that portion of the County of Los Angeles included in the Precinct of Anaheim and Silver Precinct."

ROBINSON, Chairman.

The report was received and the action of the committee concurred in.

Mr. Biggs, from the Committee on Public Buildings and Grounds, by leave, made the following report :

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 685—An Act to establish a State Normal School—with special instructions to strike out "three and one-half cents," in line one, section eighteen, and insert "two cents," herewith report the same back, amended, as by said special instructions required.

BIGGS, for Committee.

The bill was taken up and passed; title approved.

On motion of Mr. Lambert, the rules were suspended to take up Assembly Bill No. 657—An Act making appropriations for the support of the civil Government of the State of California for the twenty-second and twenty-third fiscal years, commencing on the first day of July, eighteen hundred and seventy, and ending on the thirtieth day of June, eighteen hundred and seventy-two.

Considered in Committee of the Whole.
[Speaker in the chair.]

IN ASSEMBLY.

Bill reported back, and passage recommended with amendments.
Committee amendments concurred in.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

SPECIAL ORDER.

The special order for two o'clock p. m., Senate Bill No. 447—An Act to make, open and establish a public street in the City and County of San Francisco, to be called Montgomery avenue, and to take private lands therefor—was taken up

Mr McMillan offered an amendment, as follows: Amend by striking out "the assessment of all property north of Broadway and east of Kearny."

Mr. McMurry of Trinity moved the previous question

Sustained.

On the amendment of Mr. McMillan, the ayes and noes were demanded by Messrs. McMillan Moynihan and Stephens, and it was lost, by the following vote:

AYES—Messrs. McMillan, McMurry of El Dorado, Moynihan, Oates, Odell, Slicer, Stephens, Waldron and Mr. Speaker—9

NOES—Messrs. Andrews, Appling, Biggs, Brown of Amador, Brown of Yuba, Duffy, Fortune, Fryer, Griswold, Haile, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Hubner, Johnson, Lambert, Martin of Siskiyou, McClaskey, McMurry of Trinity, Miller of El Dorado, Munday, Murphy of Santa Clara, Naphtaly, Pool, Power, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Thomas and Young—35

Read a third time and passed; title approved

Assembly Bill No 449—An Act amendatory and supplementary to an Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty, and amended March twenty-eighth, eighteen hundred and sixty-eight.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

At five o'clock and thirty minutes p. m., on motion of Mr. Andrews, the House took a recess until seven o'clock.

EVENING SESSION.

At seven o'clock p. m. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

Messrs Henley, of Sonoma, and Hudson were excused for the evening session, to attend to committee duty

Mr. Andrews, by leave, offered the following resolution:

Resolved, That when the Clerk calls the number of a bill on the file, and no objections are made to the reading of such bill, it shall be taken

up and disposed of immediately; but if three members object to the reading of such bill, then it shall be passed on the file until the end of the file shall be reached.

Laid on the table, on motion of Mr. Biggs.

Mr. Martin of Butte gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 447 passed.

REPORTS.

Mr. Blankenship, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 669—An Act to provide for relocating the county seat of the County of Monterey by the qualified electors of said county.

Also, Assembly Bill No. 194—An Act to authorize James C. Shipman, Henry A. Carter, Thomas M. Howell, and their associates and assigns, to construct a railroad from Ione City, in Amador County, to a point at or near Galt, in Sacramento County.

Also, Assembly Concurrent Resolution No. 39—Asking Congress to make appropriation for building purposes on certain land in San Francisco.

BLANKENSHIP, for Committee.

Mr. Doss, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 682—An Act granting leave of absence to James B. Hume, Sheriff of El Dorado County.

Also, Assembly Bill No. 571—An Act granting leave of absence to A. P. Overton, District Attorney of Sonoma County.

Also, Assembly Bill No. 622—An Act to encourage the building of railroads in Contra Costa County.

Also, Assembly Bill No. 675—An Act to provide for the construction of a tram railroad in the Counties of San Mateo and Santa Cruz.

Also, Assembly Bill No. 591—An Act to incorporate the Town of Hornitas.

Also, Assembly Bill No. 599—An Act to confer additional powers on the Board of Supervisors of Mono County.

Also, Assembly Bill No. 624—An Act to separate the office of County Recorder from the office of County Clerk, in the County of Yolo.

Also, Assembly Bill No. 431—An Act to authorize the construction of gas works and lay down gas pipes in the City of Oakland, County of Alameda.

Also, Assembly Bill No. 271—An Act to divide the County of Colusa into assessment districts for the election of District Assessors, and to define their duties, liabilities and compensation.

DOSS, for Committee.

Mr. G. R. B. Hayes, from the Committee on Engrossment, made the following report:

Mr SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 457—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street

G. R. B. HAYES, for Committee

SPECIAL FILE

Senate Bill No 588—An Act to authorize the Board of Supervisors of Yolo County to retain counsel to prosecute or defend proceedings in relation to claims against Swamp Land District Number Eighteen

Read a third time and passed; title approved.

Senate Bill No. 298—An Act concerning the City of Vallejo and to ratify and confirm a certain ordinance of the Trustees thereof

Amendment adopted

Read a third time and passed; title approved

Assembly Bill No. 532—An Act granting to certain persons therein named the right to lay down and maintain a railroad track in the City and County of San Francisco and the Counties of San Mateo and Santa Cruz, etc

Amended.

Mr. McMillan offered an amendment: "If any Mongolians or Asiatics be employed in or on the construction of said railroad, the said franchise herein granted shall revert to the authorities granting such aid."

Mr. Finney moved to suspend the rules, to place the bill on its passage

Mr. Shoemaker moved the previous question

Sustained

On the amendment of Mr. McMillan, the ayes and noes were demanded by Messrs. McMillan, Moynihan, and Murphy of Del Norte, and the House refused to adopt the amendment, by the following vote:

AYES—Messrs. Andrews, Berry, Brown of Amador, Fortune, Freeman, Gildea, Green, Griswold, G. R. B. Hayes, M. Hayes, Horan, Johnson, Martin of Siskiyou, McMillan, McMurphy of Trinity, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, O'Connell, Slicer, Stephens, Thomas, Thurston and Mr. Speaker—25

NOES—Messrs. Appling, Biggs, Brown of Yuba, Calderwood, Carothers, De Haven, Doss, Duffy, Escandon, Finney, Fryer, Haile, Henley of Mendocino, Hihn, Hubner, Inman, Koutz, Lewelling, Martin of Butte, McClaskey, McMurphy of El Dorado, Merritt, Miller of Marin, Mooney, Oates, Odell, Pool, Power, Romer, Ryan, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Waldron, Williams and York—38.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 465—An Act to provide for a street railroad in the City and County of San Francisco.

Amended and amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr Moynihan, in accordance with previous notice, moved to reconsider the vote by which Senate Bill No 11 passed

Mr Naphtaly moved to indefinitely postpone the motion to reconsider.

Carried

Mr Blankenship, from the Committee on Engrossment, made the following report :

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 685—An Act to establish a State Normal School

BLANKENSHIP, for Committee

Substitute for Assembly Bill No 560—An Act to authorize John Nugent to commence and maintain a suit against the City and County of San Francisco

Read a third time

Mr Martin of Siskiyou moved the previous question.

Sustained

On the passage of the bill, the ayes and noes were demanded by Messrs McMurry of Trinity, Miller of El Dorado and Shores, and the House refused to pass the bill, by the following vote :

AYES—Messrs Appling, Blankenship, Duffy, Escandon, Fortune, Gildea, Green, Griswold, M Hayes, Johnson, McMillan, Moynihan, Oates, Pool, Romer, Ryan, Satterwhite, Shores, Stephens and Mr Speaker—20

NOES—Messrs Andrews, Berry, Biggs, Brown of Yuba, Calderwood, Carothers, Doss, Finney, Freeman, Haile, Hawley, Henley of Mendocino, Hihn, Hubner, Hudson, Inman, Koutz, Lewelling, Martin of Butte, Martin of Siskiyou, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Munday, Murphy of Santa Clara, O'Connell, Sammons, Scarce, Shoemaker, Thomas, Thurston and Waldron—34

Mr O'Connell gave notice that on to-morrow he would move to reconsider the vote just taken.

Assembly Bill No. 584—An Act to amend an Act entitled an Act in relation to roads and highways in the County of Sonoma, and other matters

Rules suspended, bill considered engrossed, read a third time and passed: title approved

On motion of Mr Horan, the rules were suspended to take up from the general file Senate Bill No 202—An Act to authorize the payment of the claims of Mrs Eliza McLane, for supplies furnished the State Marine Hospital

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY.

Reported back and passage recommended.

Mr. Biggs moved to place the bill second on file for to-morrow evening.

Lost

Read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs Martin of Siskiyou, Haile and Shores, and it passed, by the following vote :

AYES—Messrs. Appling, Brown of Yuba, Calderwood, Doss, Duffy, Escandon, Finney, Fortune, Freeman, Gildea, Green, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Johnson, King, McMillan, Merritt, Miller of Marin, Mooney, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Pool, Power, Ryan, Shoemaker, Shores, Stephens, Thomas, Thurston, Waldron and York—41

NOES—Messrs. Andrews, Berry, Biggs, Carothers, Haile, Hihn, Hubner, Inman, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Munday, Odell, Sammons and Slicer—16.

Title approved.

Assembly Bill No. 645—An Act to regulate fees of certain officers and salaries of officers in the County of San Luis Obispo

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

INTRODUCTION OF BILLS

The following bills were introduced, by consent :

By Mr. Thomas—An Act entitled an Act amendatory of an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six.

Read first and second times and ordered on the file

By Mr. Lewelling—An Act to fix the compensation of Under Sheriff of Alameda County.

Read first and second times and ordered on the file.

REPORT.

Mr. Murphy of Santa Clara, from the Judiciary Committee, submitted the following report :

MR. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 373—An Act to amend an Act entitled an Act to amend an Act amendatory of article fourth of an Act entitled an Act to repeal the several charters of the City and County of San Francisco and to consolidate the government thereof, approved April seventeenth, eighteen hundred and fifty, etc.—have had said bill under consideration, and report it back with a substitute and recommend the passage of the substitute.

NAPHTALY, Chairman.

SPECIAL FILE RESUMED.

Assembly Bill No. 500—An Act authorizing the construction of a swing or draw bridge across the San Antonio Creek, in the County of Alameda.

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 642—An Act to investigate the affairs of certain late officers of the County of Sacramento.

Mr. Odell offered a substitute for the bill.

Lost.

When the House refused to order the bill engrossed.

Mr Duffy gave notice that on to-morrow he would move to reconsider the vote just taken.

On motion of Mr. Murphy of Santa Clara, Assembly Bill No 635 was made the special order for to-morrow, at eleven o'clock A. M.

Assembly Bill No 482—An Act providing for the construction of a public road in Marin County.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No 583—An Act to provide for the erection of a City Hall in the City and County of San Francisco.

Amendments adopted

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, March 24th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present

Prayer by the Rev. Mr. Gober

Journal of yesterday read and approved

Indefinite leave of absence was granted to Messrs. Appling and Crigler, and one day's leave of absence to all the absentees.

PRESENTATION.

Mr. Haile, on behalf of the Good Templars' Home for Orphans, presented to the Assembly a lithographic representation of their building, in Solano County; also, offered therewith the following resolution:

Resolved. That the Sergeant-at-Arms is hereby directed to hang the picture presented to the Assembly by the Independent Order of Good Templars, in some proper place in the Assembly Chamber.

Adopted.

INTRODUCTION OF BILLS.

Mr. Shoemaker, by leave, introduced a bill for an Act amendatory of and supplemental to an Act entitled an Act to reincorporate the City of San José, approved March seventeenth, eighteen hundred and sixty-six.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

Mr. Ryan, by leave, introduced a bill for an Act concerning the Magdalen Asylum of the City and County of San Francisco

Read first and second times rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

Mr. Slicer, by leave, introduced a bill for an Act to provide for five competitive scholarships for the benefit of meritorious young men desirous of entering the State University

Read first and second times

Mr. Slicer moved to suspend the rules, to consider the bill now

Carried

Read a third time

Mr. Naphtaly moved to refer the bill to the Committee on Education, with special instructions to strike out section four

Carried.

REPORTS

Mr. Finney, from the San Mateo delegation, made the following report :

MR. SPEAKER: The San Mateo delegation, to whom was referred Assembly Bill No 667, have carefully considered the same, report it back to the House, with amendment, and recommend its passage

FINNEY, for Delegation.

On motion of Mr. Finney, the rules were suspended to consider the above reported bill now

Amendments adopted

Rules further suspended, bill considered engrossed, read a third time and passed; title approved

Mr. Lambert, from the Committee on Ways and Means, by leave, made the following report :

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Senate Bill No. 522—An Act making an appropriation for deficiency in the appropriation made for twentieth and twenty-first fiscal years, ending July first, eighteen hundred and seventy—herewith beg leave to report that it appears from the report of the State Prison Directors, at the time such report was made, that the State Prison Fund was in debt \$17,010 00

Amount required to pay the current expenses of prison for eight months, from October thirty-first, eighteen hundred and sixty-nine, to July first, eighteen hundred and seventy, estimating the expense for each prisoner at forty cents per day, or nine thousand six hundred dollars per month 75,800 00

Total amount of deficiency \$92,810 00
But from this amount there should be deducted the earnings of the prison for the said eight months, which, on the basis of former earnings, will amount to 34,400 00

Actual deficiency \$58,410 00

The committee, therefore, recommend that the bill be amended by striking out, in section one, line one, "ninety thousand," and insert

"fifty-eight thousand four hundred and ten," and that the bill pass as amended.

LAMBERT, Chairman

On motion of Mr Finney, the rules were suspended to consider the above bill now

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY.

Reported back with amendments and passage recommended.

Read a third time and passed; title approved

Ordered transmitted immediately to the Senate.

Mr. Blankenship, from the Committee on Engrossment, made the following report:

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 500—An Act to authorize the construction of a swing or draw bridge across the San Antonio Creek, in the County of Alameda

Also, Assembly Bill No. 645—An Act to regulate fees of office and salaries of certain officers in the County of San Luis Obispo.

BLANKENSHIP, for Committee.

SPECIAL ORDERS.

The special order for eleven o'clock A M, Assembly Bill No 635—An Act to pay the claim of McNally and Hawkins—was taken up.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY

Reported back and passage recommended

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Substitute for Assembly Bills Nos 62 and 523—An Act to establish a uniform system of ballots.

Mr Hihn moved to postpone the special order to Saturday next, at two o'clock P. M

Lost.

Substitute adopted

Mr Duffy offered an amendment, to strike out that portion that relates to pastors

Mr Biggs moved the previous question

Sustained

On the adoption of the amendment offered by Mr Duffy, the ayes and noes were demanded by Messrs. Haile, Crigler and Lewelling, and the House refused to adopt, by the following vote:

AYES—Messrs. Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Doss, Duffy, Green, Griswold, G. R B Hayes, M. Hayes, Hihn, Hubner, McMillan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, O'Connell, Power, Robinson, Romer, Ryan, Sammons, Stephens, Thomas, Waldron, Williams and Young—26.

NOES—Messrs. Andrews, Biggs, Coronel, Eichelroth, Finney, Freeman, Gildea, Haile, Hawley, Hudson, Inman, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Moynihan, Naphtaly, Oates, Odell, Pool, Satterwhite, Scarce, Shores, Slicer, Thurston, York and Mr. Speaker—33

Mr. Hihn moved to strike out all but sections five and six of the bill.
Lost.

Mr. Haile moved to suspend the rules, to consider the bill engrossed and place it on its final passage

On which the ayes and noes were demanded by Messrs. Gildea, Satterwhite and Romer, and the motion was lost, by the following vote—not two-thirds voting in the affirmative :

AYES—Messrs. Andrews, Berry, Biggs, Blankenship, Crigler, Escandon, Finney, Fortune, Haile, G. R. B. Hayes, M. Hayes, Hubner, Hudson, Inman, King, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of Trinity, Merritt, Miller of El Dorado, Murphy of Santa Clara, Oates, O'Connell, Odell, Robinson, Ryan, Scarce, Shores, Slicer, Stephens, Thurston, York, Young and Mr. Speaker—37

NOES—Messrs. Brown of Amador, Brown of Yuba, Calderwood, Carothers, Doss, Duffy, Freeman, Gildea, Green, Hawley, Hihn, Koutz, McMillan, Mooney, Pool, Power, Romer, Satterwhite, Thomas, Waldron and Williams—21.

Ordered engrossed.

REPORTS

Mr. Doss, from the Committee on Engrossment, made the following report :

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 532—An Act granting to certain persons therein named the right to build and maintain a railroad track in the City and County of San Francisco and the Counties of San Mateo and Santa Cruz, and to empower said city and county and said counties to aid in the construction of said road.

Also, Assembly Bill No. 482—An Act providing for the construction of a public road in Marin County.

DOSS, for Committee

Mr. Crigler, from the Committee on State Prison, by leave, made the following report :

MR SPEAKER: Your Committee on State Prison, to whom was referred Senate Bill No. 531—An Act to provide for the government of the State Prison and to authorize the Board of Directors to adopt the Irish system of discipline therein—have had the same under consideration, and respectfully beg leave to report the same back, with amendments, and recommend its passage as amended.

CRIGLER, Chairman.

Mr. Ryan, from the San Francisco delegation, by leave, made the following report :

Mr SPEAKER: The San Francisco delegation, to whom was referred the following bills, have had the same under consideration, and herewith report them back, with their several recommendations:

Senate Bill No. 85—A bill to be entitled an Act the better to secure the collection of license taxes in the City and County of San Francisco—passage recommended.

Assembly Bill No. 605—An Act to provide for a railroad within the City and County of San Francisco—reported back without recommendation.

Assembly Bill No 617—An Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim—passage recommended.

Assembly Bill No 580—An Act to grant to certain persons the right of way for a railroad track within the corporate limits of the City and County of San Francisco, and to run horse cars thereon—reported back without recommendation

Assembly Bill No 477—An Act to provide for a railroad within the City and County of San Francisco—reported back without recommendation.

Assembly Bill No. 574—An Act to provide for the creation of the Thirteenth Ward of the City and County of San Francisco—recommend that it be indefinitely postponed.

Assembly Bill No. 616—An Act to provide for the supply of water to the City and County of San Francisco for street watering purposes, and to provide revenue for the same—reported back without recommendation

Assembly Bill No 587—An Act to repeal an Act entitled an Act to organize and regulate the Justices' Court of the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and sixty-six, and to reorganize and regulate the Justices' Courts in said City and County of San Francisco—recommend that it be indefinitely postponed

Assembly Bill No. 359—An Act authorizing the City and County Surveyor of the City and County of San Francisco to locate and lay down the central macadamized toll road on the official map of outside lands, and conferring certain powers on the Tax Collector of said city and county—passage recommended

Senate Bill No 296—An Act to authorize the Board of Supervisors of the City and County of San Francisco to permit the laying of railroad tracks for grading purposes—reported back without recommendation

Assembly Bill No 663—An Act concerning the Board of Education of the City and County of San Francisco, and defining the duties and powers thereof—passage recommended.

Assembly Bill No 661—An Act to provide for a railroad within the City and County of San Francisco—recommend that it be placed on file

Assembly, Bill No. 630—An Act to provide for the appointment of an Inspector of Gas Lamps in the City and County of San Francisco—passage recommended

Assembly Bill No. 354—An Act to authorize the Treasurer of the City and County of San Francisco to pay James F. Clark the sum of four hundred and eighty dollars—passage recommended.

Senate Bill No 217—An Act to regulate the elections of voluntary political associations and parties in the City and County of San Francisco, and to secure a fair expression of the choice of such associations and parties in the nomination of candidates—passage recommended

Mr. Eichelroth, by leave, made the following report :

MR SPEAKER: The delegations of Mariposa and Tuolumne, to whom was referred Assembly Bill No. 686—An Act to provide for the construction of a wagon and turnpike road in the Counties of Mariposa and Tuolumne, from Chinese Camp to Yosemite Valley—have had the same under consideration, report the same back and recommend its passage.

EICHELROTH, for Delegation.

On motion of Mr. Crigler, the rules were suspended to take up Senate Bill No. 531.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present

Mr. McMurry of El Dorado, by leave, introduced a bill for an Act to appropriate funds to provide for the equipment of the National Guard.

Read first and second times and referred to the Committee on Military Affairs.

SPECIAL ORDERS

At half-past one o'clock P. M., the special order—Assembly Bill No. 556—An Act to empower the Counties of Stanislaus, Merced, Fresno and Tulare to aid in the construction of the Stockton and Visalia Railroad—was taken up.

At two o'clock P. M., on motion of Mr. Lambert, the special order set for two o'clock, also the special order for three o'clock P. M., were postponed to the same hours to-morrow.

Mr. G. R. B. Hayes moved the previous question.

Sustained.

The question being on the passage of Assembly Bill No. 556, the ayes and noes were demanded by Messrs. Satterwhite, Miller of El Dorado and Thurston, and it passed, by the following vote:

AYES—Messrs. Andrews, Carothers, Crigler, Duffy, Escandon, Freeman, Gildea, Haile, M. Hayes, Hihn, Hubner, Hudson, Inman, Johnson, Kelley, Martin of Butte, Martin of Siskiyou, Miller of El Dorado, Munday, Murphy of Santa Clara, Newell, Oates, O'Connell, Odell, Pool, Power, Robinson, Ryan, Sammons, Scarce, Shoemaker, Shores, Stephens, Thurston, Waldron and Young—36.

NOES—Messrs. Biggs, Blankenship, Brown of Amador, Brown of Yuba, Fryer, Hawley, King, Lambert, McClaskey, McMillan, McMurry of El Dorado, Miller of Marin, Mooney, Naphtaly, Rockwell, Satterwhite, Slicer, Walden and Williams—19.

Title approved

Mr. Duffy, in accordance with previous notice, moved to reconsider the vote by which the House refused to engross substitute for Assembly Bill No. 642

Mr. Murphy of Del Norte moved the previous question.

Sustained.

When the motion to reconsider was lost.

REPORTS.

Mr. Slicer, from the Committee on Education, by leave, made the following report :

MR. SPEAKER: The Chairman of the Committee on Education, who was instructed to amend Assembly Bill No 692—An Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University—by striking out section four, respectfully reports that he has amended said bill in the manner required.

SLICER, Chairman.

Bill taken up.

Mr. Slicer offered a substitute for the bill, which, by unanimous consent, was received, adopted and the bill passed ; title approved.

Mr. Ryan, from the San Francisco delegation, made the following report :

MR. SPEAKER: The undersigned, members of the San Francisco delegation, to whom was referred Assembly Bill No 681, have had the same under consideration, and herewith report the same back with a substitute and recommend the passage of the substitute.

RYAN,
G. R. B. HAYES,
ROMER,
NAPHTALY,
O'CONNELL,
ROGERS,
M. HAYES,
GRISWOLD,
ROCKWELL.

Mr. Ryan, from the Judiciary Committee, submitted the following report :

MR. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 668—An Act amendatory of an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, passed April nineteenth, eighteen hundred and fifty, and to amend an Act entitled an Act to amend an Act to provide for the appointment and prescribe the duties of guardians, passed April nineteenth, eighteen hundred and fifty, approved May twentieth, eighteen hundred and sixty-one—having had the same under consideration, herewith report it back and recommend its passage.

NAPHTALY, Chairman.

On motion of Mr. Ryan, substitute for Assembly Bill No. 681 was ordered printed.

On motion of Mr. Biggs, the rules were suspended to take up Senate Bill No 130—An Act conferring further powers upon the State Board of Tide Land Commissioners named in and appointed under the Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California.

Read a third time and passed ; title approved.

Mr. Murphy of Santa Clara was allowed to withdraw Assembly Bill No. 370.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER,
March 24th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on the twenty-second day of March, passed, under suspension of the rules, Senate Bill No. 355—An Act for the endowment of the University of California.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 23d, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on Monday, the twenty-first instant, passed, under suspension of the rules, Senate Bill No. 637—An Act amendatory of and supplementary to an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Petaluma

Also, on the twenty-second instant, Senate Bill No. 640—An Act concerning the construction of the State Capitol in the City of Sacramento.

Also, Senate Bill No. 622—An Act to provide for the construction of a wagon road from and to the Yosemite Valley and Big Tree Grove

Also, Senate Bill No. 628—An Act to amend an Act entitled an Act concerning the military of the State of California

Also, substitute for Assembly Bill No. 309—An Act to authorize the State Treasurer to surrender certain bonds

Also, substitute for Assembly Bill No. 425—An Act to direct the Treasurer and Auditor of Solano County to transfer certain moneys from the Swamp Land Fund and Redemption Fund of Solano County to the Interest and Redemption Fund.

Also, Assembly Bill No. 493—An Act to increase the number of Notaries Public for Stanislaus and Merced Counties

Also, Assembly Bill No. 516—An Act granting leave of absence to S. P. Moffatt, County Clerk of Inyo County.

Also, Assembly Bill No. 564—An Act to confer additional powers on the Board of Trustees of the Town of Eureka, in the County of Humboldt.

Also, Assembly Bill No. 602—An Act to define and establish the boundary line between the Counties of Mono and Inyo.

Also, Assembly Bill No. 607—An Act supplemental to an Act entitled an Act to reincorporate the City of Sonoma, approved April tenth, eighteen hundred and sixty-two.

Also, Assembly Bill No. 609—An Act to legalize and provide for the collection of delinquent taxes in the County of Yolo for the fiscal year commencing March first, eighteen hundred and sixty-nine.

Also, Assembly Bill No. 615—An Act granting leave of absence to John Gale, District Attorney of Sierra County.

Also, Assembly Bill No. 639—An Act concerning revenue

Also, Assembly Bill No. 641—An Act to amend an Act entitled an Act to reincorporate the City of Sonoma, approved April tenth, eighteen hundred and sixty-two.

Also, Assembly Bill No. 646—An Act granting leave of absence to F. R. Dray, County Assessor of the County of Sacramento.

Also, Assembly Bill No 647—An Act granting leave of absence to W. B. C. Brown, County Clerk of the County of Sacramento.

Also, Assembly Bill No 654—An Act to authorize the Assessor of Contra Costa County to employ a deputy.

Also, Assembly Bill No. 655—An Act to encourage the destruction of squirrels, gophers and other wild animals in the Counties of Santa Clara and Monterey, and to create a bounty therefor.

Also, Assembly Bill No. 613—An Act to amend section one of an Act entitled an Act to authorize the Board of Supervisors of Del Norte County to levy a special tax and create a Redemption Fund for the payment of county indebtedness.

Also, Assembly Concurrent Resolution No. 36—Requesting our Senators and Representatives in Congress to procure mail facilities for a tri-weekly mail from Cloverdale, Sonoma County, to Trinidad, Klamath County.

Also, Assembly Concurrent Resolution No. 37—In reference to the Presidio, near San Francisco.

ROBERTS,
Secretary.

SENATE CHAMBER, }
March 23d, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No. 534—An Act to authorize the Board of Supervisors of Humboldt County to transfer money from the Building Fund to the Road Fund.

Also, Assembly Bill No 239—An Act to promote the study of anatomy.

Also, Assembly Bill No. 524—An Act to authorize and empower the President and Trustees of the City of San Diego to donate lands to the San Diego and Los Angeles Railroad Company, to aid in construction of said railroad

Also, amended and passed Assembly Bill No. 146—An Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, amended and passed substitute for Assembly Bill No. 128—An Act to amend an Act entitled an Act to amend section one hundred and twenty-one of an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty-one, approved March sixteenth, eighteen hundred and sixty-eight.

Also, indefinitely postponed Assembly Bill No. 555—An Act in relation to State aid for internal improvements.

ROBERTS,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No 355, above reported, read first and second times.

Considered in Committee of the Whole.

[Mr. Naphtaly in the chair.]

IN ASSEMBLY.

Reported back without recommendation.

Mr. Rogers moved to make the bill the special order for to-morrow, at two o'clock P. M.

Mr. Gildea moved to refer the bill to the Committee on Ways and Means, with instructions to report the same back on Monday next

On which the ayes and noes were demanded by Messrs. Andrews, Munday and Waldron, and the motion prevailed, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Blankenship, Brown of Amador, Brown of Yuba, Crigler, Duffy, Escandon, Fortune, Freeman, Fryer, Gildea, M. Hayes, Hihn, Hubner, Hudson, Johnson, Kelley, Koutz, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Moynihan, Munday, Murphy of Del Norte and Klamath, Newell, Oates, Robinson, Scarce, Shores, Stephens and Waldron—37.

NOES—Messrs. Biggs, De Haven, Eichelroth, Finney, Griswold, Haile, Hawley, G. R. B. Hayes, Inman, King, Lambert, McMillan, Murphy of Santa Clara, Naphtaly, Odell, Pool, Power, Rockwell, Romer, Ryan, Sammons, Satterwhite, Shoemaker, Slicer, Thurston, Williams, York, Young and Mr. Speaker—29.

Senate Bill No. 640, above reported, read first and second times and ordered on file.

Assembly Bill No. 146, above reported, Senate amendments concurred in

Substitute for Assembly Bill No. 128, above reported, amendment to title concurred in, when the bill was referred to the Judiciary Committee.

Substitute for Senate Bill No. 637, above reported, read first and second times and referred to the Committee on Education.

Senate Bill No. 628, above reported, read first and second times and referred to the Military Committee.

Senate Bill No. 622, above reported, read first and second times and referred to the Committee on Ways and Means.

Assembly Bill No. 613, above reported, Senate amendment to title concurred in.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Martin of Butte gave notice that he would, on to-morrow, move to reconsider the vote by which Assembly Bill No. 556 passed.

Mr. Gildea gave notice to reconsider the vote on Assembly Bill No. 692.

Mr. Ryan moved to reconsider the vote by which Senate Bill No. 447 passed the House.

On motion of Mr. Rockwell, the motion to reconsider was indefinitely postponed

Mr. Hihn, by leave, introduced a bill for an Act to amend an Act entitled an Act to regulate fees of office, approved March fifth, eighteen hundred and seventy

Read first and second times and, by unanimous consent, read a third time and passed ; title approved

Mr. Inman, Chairman of the Committee on Public Accounts and Expenditures, submitted a report and resolution providing for the payment of papers furnished the members of the Assembly.

Received and ordered on file

Mr. Fryer, from the Los Angeles delegation, made a report as follows :

MR. SPEAKER: The Los Angeles delegation, to whom was referred Senate Bill No. 557—An Act to fund the debt of the City of Los Ange-

les and provide for its payment—have had the same under consideration, and beg leave to report the same back with amendments, and recommend its passage as amended.

FRYER, for Delegation.

Rules suspended, and the bill above reported taken up and amended. Read a third time and passed; title approved.

Mr. Freeman offered a resolution:

Resolved, That P. O'Keeffe and Wm. S. Perry, Porters of committee rooms, be each allowed one dollar a day for extra services.

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

Lost.

Referred to the Committee on Contingent Expenses.

On motion of Mr. Gildea, the rules were suspended to take up Assembly Bill No. 680—An Act making appropriations for the support of the several charitable institutions therein specified during the twenty-second and twenty-third fiscal years.

Considered in Committee of the Whole.

[Mr. Naphtaly in the chair.]

IN ASSEMBLY.

Reported back with amendments, and ask leave to sit again to-morrow.

On motion of Mr. Slicer, the bill was re-committed to the Committee on Ways and Means.

Mr. Lewelling, from the Committee on Engrossment, made the following reports:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 635—An Act to pay the claims of McNally and Hawkins.

Also, Assembly Bill No. 449—An Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty, and amended March twenty-eighth, eighteen hundred and sixty-eight.

LEWELLING, for Committee.

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 583—An Act to provide for the erection of a City Hall in the City and County of San Francisco.

Also, substitute for Assembly Bills Nos. 62 and 523—An Act to provide for a uniform system of ballots in this State, and other matters relating thereto.

LEWELLING, for Committee.

At five o'clock and thirty minutes P. M., on motion of Mr. Murphy of Santa Clara, the House adjourned.

EVENING SESSION.

At seven o'clock P. M. the House reassembled.

Speaker in the chair

Roll called
Quorum present.

REPORTS.

Mr. Griswold, from the San Francisco delegation, by leave, made the following report :

MR. SPEAKER : The San Francisco delegation have had under consideration a bill entitled an Act to change the grade of Leavenworth street and Vallejo street, and recommend its passage.

RYAN,
GRISWOLD.
G. R. B. HAYES,
M. HAYES.
O'CONNELL,
MOYNIHAN,
FORTUNE,
NAPHTALY,
ROMER,
McMILLAN.

On motion of Mr. Griswold, the rules were suspended to take up the above reported bill—An Act to change the grade of Leavenworth street, from Vallejo street to Union street, in the City and County of San Francisco.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

The following bill was introduced by Mr. Lewelling, by leave—An Act to relieve mortgaged property in this State from full taxation.

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

Mr. Ryan was allowed to withdraw Assembly Bills Nos. 480 and 673.

Mr. Rockwell, from the San Francisco delegation, made the following report :

MR. SPEAKER : The San Francisco delegation, to whom was referred Assembly Bill No. 295—An Act to provide for the collection of municipal taxes in the City and County of San Francisco—have had the same under consideration, and report the same back and recommend its passage.

ROCKWELL,
McMILLAN,
O'CONNELL,
MOYNIHAN,
M. HAYES,
ROGERS,
ROMER

Mr. King, from the Committee on Corporations, made the following report :

MR. SPEAKER : Your Committee on Corporations, to whom was referred Assembly Bill No. 676—An Act to provide for the formation of corporations for the accumulation of funds and savings, and the direct promotion of manufacturing and mechanic arts, agriculture and mining—

have considered the same, and report the bill back and recommend its passage.

KING, Chairman.

Rules suspended and the above bill taken up, considered engrossed, read a third time and passed; title approved.

Mr. Sammons, from the Sierra delegation, made the following report:

MR. SPEAKER: The Sierra delegation, to whom was referred Senate Bill No. 595—An Act authorizing the Board of Supervisors of Sierra County to build a certain wagon road in said county, and to issue bonds therefor—respectfully report that they have had said bill under consideration, and report it back with amendments and recommend its passage as amended.

SAMMONS, for Delegation.

Rules suspended and the above reported bill taken up.

Amendments adopted

Read a third time and passed; title approved.

Mr. McMurry of Trinity, from the Committee on Contingent Expenses, made the following reports:

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred Assembly Bill No. 108—An Act creating the office of Mail and Express Messenger of the Capitol, defining his duties and compensation therefor—have had the same under consideration, and herewith report it back without recommendation.

McMURRY (of Trinity), Chairman.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred a resolution allowing Jos. Neumann mileage, have had the same under consideration, and report the same back with amendment, and recommend that it pass as amended.

McMURRY (of Trinity), Chairman.

INTRODUCTION OF BILLS.

Bills were introduced, by leave, as follows:

By Mr. Fortune—An Act to authorize the payment of certain claims against the State when approved by the Board of Examiners.

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

By Mr. Thurston—An Act for the relief of Wm. Biven.

Read first and second times and referred to the Committee on Federal Relations.

MOTIONS AND RESOLUTIONS

Mr. Appling, by leave, offered a resolution, as follows:

Resolved, That the Sergeant-at-Arms be and is hereby requested to furnish each member of this House with the number of copies of the fee and salary bill heretofore ordered printed.

Adopted.

[Mr. Andrews in the chair.]

On motion of Mr Martin of Butte, the rules were suspended to take up Senate Bill No. 640—An Act concerning the construction of the State Capitol, in the City of Sacramento.

Read a third time and passed; title approved

SPECIAL FILE.

Assembly Bill No. 58ⁿ—An Act to provide for the protection of lands in the County of Sutter from overflow.

Amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No 688—An Act relative to Sheriff's fees in the County of Alameda.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No 604—An Act to authorize the Treasurer of San Joaquin County to transfer certain funds to the General School Fund of said county.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Mr. Horan, by leave, introduced a bill for an Act authorizing the issuance of State bonds, to the amount of two hundred thousand dollars, to be known as State Capitol bonds.

Read first and second times and referred to the Committee on Public Buildings and Grounds

Mr. Miller of Marin, from the Committee on Mileage, made the following report:

MR. SPEAKER: Your Committee on Mileage, to whom was referred Assembly Bill No 122—An Act to amend an Act entitled an Act defining the legal distances from each county seat to the Capital, Lunatic Asylum and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight—having had the same under consideration, beg leave to report a substitute therefor and recommend the passage thereof.

MILLER (of Marin), Chairman

Mr. O'Connell moved to reconsider the vote by which the House refused to pass Assembly Bill No 560 on yesterday.

Mr. McMurry of Trinity moved to indefinitely postpone the motion to reconsider.

Mr Thomas moved the previous question

Sustained.

On the motion to indefinitely postpone the motion to reconsider, the ayes and noes were demanded by Messrs. Fortune, Romer and Moynihan, and the House refused, by the following vote:

AYES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Carothers. De Haven, Finney, Freeman, Hihn, Koutz, Lewelling, Martin of Siskiyou. Merritt, Miller of El Dorado, Miller of Marin, Munday, Sammons. Shoemaker, Shores and Waldron—20.

NOES—Messrs. Appling, Blankenship. Brown of Amador, Doss, Duffy, Eichelroth, Escandon, Fortune, Green, Griswold, Haile, Hawley, M.

Hayes, Horan, Hubner, Johnson, Kelley, Martin of Butte, McClaskey, McMillan, Moynihan, Oates, O'Connell, Odell, Pool, Rockwell, Romer, Ryan, Satterwhite, Stephens, York and Mr Speaker—32.

[Mr. Martin of Siskiyou in the chair]

On the motion to reconsider, the ayes and noes were demanded by Messrs. Ryan, Moynihan and Shores, and it prevailed, by the following vote:

AYES—Messrs. Appling, Blankenship, Brown of Amador, Duffy, Escandon, Fortune, Green, Griswold, Haile, M. Hayes, Hubner, Johnson, Kelley, Martin of Butte, McMillan, Moynihan, Murphy of Santa Clara, Oates, O'Connell, Odell, Pool, Rockwell, Romer, Ryan, Satterwhite, Stephens, York and Mr. Speaker—28.

NOES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Carothers, De Haven, Doss, Eichelroth, Finney, Freeman, Hihn, King, Koutz, Lewelling, Martin of Siskiyou, McClaskey, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Munday, Newell, Sammons, Scarce, Shoemaker, Shores and Waldron—27.

On the passage of the bill, the ayes and noes were demanded by the requisite number

Mr. Brown of Amador offered an amendment.

Ruled out of order, under the previous question.

Mr. Mooney rose to a point of order, stating that the operation of the previous question only extended to the motion to reconsider

Overruled

Mr. Mooney appealed and the Chair was sustained.

The roll was now called, and the House again refused to pass the bill, by the following vote:

AYES—Messrs. Appling, Blankenship, Brown of Amador, Duffy, Escandon, Fortune, Green, Griswold, M. Hayes, Johnson, Kelley, McMillan, Mooney, Moynihan, Oates, O'Connell, Odell, Pool, Rockwell, Ryan, Stephens and Mr Speaker—22.

NOES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Carothers, De Haven, Doss, Eichelroth, Finney, Freeman, Hihn, Hubner, Koutz, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Munday, Newell, Sammons, Scarce, Shoemaker, Shores, Waldron and York—30

REPORT.

Mr. Lewelling, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 688—An Act relative to Sheriff's fees in Alameda County.

Also, Assembly Bill No. 694—An Act to change the grade of Leavenworth street and Vallejo street, in the City and County of San Francisco.

LEWELLING, for Committee.

SPECIAL FILE CONTINUED.

Assembly Bill No. 464.

Withdrawn by Mr. Fortune, by leave.

Senate Bill No. 626—An Act to amend an Act entitled an Act to raise a fund for the improvement of Napa City.

Read a third time and passed; title approved.

Assembly Bill No. 585—An Act supplementary to an Act entitled an Act to incorporate the Town of Santa Cruz

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 586—An Act to provide for the removal of the Danville District school house, in Contra Costa County.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 347—An Act to ratify and confirm ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco, and proceedings had thereunder.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. McClaskey, from the Committee on Swamp and Overflowed Lands, by leave, made the following report:

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred petition of citizens of Tulare County, for reclamation of lands, beg leave to report the same back without recommendation.

McCLASKEY, Chairman.

Assembly Bill No. 328—An Act providing for the drainage and reclamation of certain lands, and the navigation between certain places.

Mr. Doss moved to place the bill at the top of the file for Monday evening.

Mr. Slicer moved to indefinitely postpone the bill.

Mr. Berry moved the previous question.

Sustained

The motion to place the bill on the file for Monday was lost.

When the motion of Mr. Slicer prevailed, and the bill was indefinitely postponed.

On motion of Mr. Kelley, Assembly Bill No. 649 was recommitted to the Committee on Swamp and Overflowed Lands.

Assembly Bill No. 659—An Act concerning roads and highways in the County of Sacramento.

Amended and amendment adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 674—An Act for the relief of John Haines.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

On motion of Mr. Naphtaly, the rules were suspended to take up Senate Bill No. 217—An Act to regulate the elections of voluntary political associations and parties, in the City and County of San Francisco, and to secure a fair expression of the choice of such associations and parties in the nomination of candidates.

Read a third time and passed; title approved.

Mr. York, by leave, introduced a bill for an Act supplementary to an Act entitled an Act to regulate fees of office and salaries of certain officers, and repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

At nine o'clock and fifty minutes P. M., on motion of Mr. Oates, the House adjourned

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, March 25th, 1870. }

House met pursuant to adjournment.

Speaker in the chair

Roll called

Quorum present.

Prayer by the Rev Mr Gober

Journal of yesterday read and approved

REPORTS OF STANDING COMMITTEES

Mr. Merritt, from the Committee on Counties and County Boundaries, made the following report:

MR. SPEAKER: The Committee on Counties and County Boundaries, to whom was referred Senate Bill No 289—An Act to better define the boundary line between Fresno and Mariposa Counties—respectfully report that they have had the said bill under consideration, and herewith report the same back and recommend its passage

MERRITT, Chairman.

On motion of Mr. Pool, the rules were suspended to take up the above reported bill

Read a third time and passed; title approved

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report:

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 643—An Act amendatory and supplementary to an Act, approved April twenty-fifth, A. D. eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

And this day, at two o'clock and thirty minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr Walden made the following report:

Mr. SPEAKER: The delegation to whom was referred Assembly Bill No 528—An Act for the relief of T. E. Hughes—beg leave to report the same back, with amendments, and recommend its passage as amended

WALDEN, for Delegation.

On motion of Mr. Walden, the rules were suspended to take up the above reported bill

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr Satterwhite made the following report:

Mr. SPEAKER: The Committee of Conference on Assembly Bill No. 324—An Act concerning estrays and animals found running at large in the County of Santa Cruz—agree that the Assembly shall adhere to its non-concurrence

SATTERWHITE.
LAMBERT.

Mr McMurry of Trinity, from the Committee on Contingent Expenses, made the following report:

Mr SPEAKER: Your Committee on Contingent Expenses, to whom was referred the resolution allowing the Clerk of the Committee on Claims one dollar per day extra during his term of service, find that the duties of said Clerk have been quite as laborious as any Committee Clerks of the Assembly; whereas, Clerks of other committees have been receiving six dollars, the Clerk of the Committee on Claims has been allowed only five, and we believe he is justly entitled to the extra pay; therefore, we report said resolution back and recommend that it pass

Resolved That the Clerk of the Committee on Claims is hereby allowed one dollar per day extra during his term of service; and the Controller of State is hereby authorized to draw his warrant for the same, payable out of the Contingent Fund of the Assembly

McMURRY (of Trinity), Chairman.

Adopted

GOVERNOR'S MESSAGES

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT. }
Sacramento, March 24th, 1870 }

To the Assembly of the State of California:

I herewith return to your honorable body, by request, Assembly Bill No. 423—An Act reorganizing the Board of Supervisors of Marin County, prescribing their duties, and redistricting said county.

H. H. HAIGHT,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 Sacramento, March 24th, 1870. }

To the Assembly of the State of California :

I herewith return to your honorable body, without approval, Assembly Bill No. 115—An Act to authorize Michael C. Dufficy, Charles W. Scheidel, Theodore A. Coult and Caleb E. Wilcoxsen, and their associates and assigns, to construct and maintain a railroad in the City of Marysville, Yuba County, and the Town of Yuba City, Sutter County.

This bill belongs to a class of measures, the disapproval of which has been sustained by the judgment of the Legislature; and, as a general law has just been passed empowering the local authorities, under wholesome restrictions, to grant such privileges, the subject is relieved from embarrassment.

The removal from legislation of all special franchise bills, which can be provided for under general laws, cannot fail to be advantageous to the public interests.

H. H. HAIGHT,
 Governor.

On motion of Mr. Merritt, the Governor's message, returning without his approval Assembly Bill No. 115, was made the special order for Monday next, at half-past two o'clock p. m.

MOTIONS AND RESOLUTIONS.

Mr. Naphtaly offered the following resolution :

Resolved, That the general file be made the special order daily at twelve o'clock m., and that no bill shall be considered unless it be on the file; nor shall any bill be considered out of its order on the file, except by unanimous consent.

Adopted

On motion of Mr. Gildea, the rules were suspended and Assembly Bill No. 668 taken up and ordered third on the general file for to-day.

Mr. Munday offered the following resolution :

Resolved, That we tender our heartfelt sympathy to the Hons. Barclay and G. W. Henley, members of this House, in the severe loss which has fallen upon them by the death of their brother, the late Hiram F. Henley.

Adopted unanimously, members all rising from their seats

On motion of Mr. Horan, the rules were suspended and Assembly Bill No. 545 taken up and made the special order for Monday next, at two o'clock p. m.

Mr. Slicer moved to suspend the rules, to take up Senate Bill No. 59, to consider the same now

On which the ayes and noes were demanded by Messrs Slicer, Gildea and Mooney, and the motion prevailed, by the following vote :

AYES—Messrs Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Doss, Escandon, Freeman, Gildea, Green, Griswold, Haile, G. R. B. Hayes, M. Hayes, Hudson, Johnson, Martin of

Butte, Martin of Siskiyou, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Newell, Oates, Odell, Pool, Robinson, Rockwell, Ryan, Scarce, Shoemaker, Shores, Slicer, Thurston, Young and Mr. Speaker—42

NOES—Messrs. Carothers, De Haven, Duffy, Eichelroth, Finney, Hawley, Hihn, Hubner, Inman, King, Koutz, Lewelling, McClaskey, Murphy of Del Norte and Klamath, Power, Romer, Sammons, Satterwhite, Waldron, Williams and York—21.

Substitute for Senate Bill No. 59—An Act to provide for the appointment of a Reporter of the Supreme Court, and to define his duties and compensation.

Mr. Lambert moved the previous question.

Sustained.

On adopting a substitute for the bill, the ayes and noes were demanded by Messrs. Slicer, Mooney and York, and the House refused, by the following vote :

AYES—Messrs. Brown of Yuba, Calderwood, Carothers, De Haven, Duffy, Eichelroth, Finney, Hawley, Hubner, Johnson, King, Koutz, Lewelling, McClaskey, Murphy of Del Norte and Klamath, Newell, Oates, Power, Romer, Sammons, Satterwhite, Shoemaker, Stephens, Thomas, Walden, Waldron, Williams and York—26

NOES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Doss, Escandon, Freeman, Fryer, Gildea, Green, Griswold, Haile, G. R. B. Hayes, M. Hayes, Hudson, Kelley, Lambert, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, O'Connell, Odell, Pool, Robinson, Rockwell, Scarce, Shores, Slicer, Thurston, Young and Mr. Speaker—37.

Bill read a third time.

On its passage, the ayes and noes were demanded by Messrs. Duffy, Finney and York, and the bill passed, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Doss, Duffy, Escandon, Freeman, Fryer, Gildea, Green, Griswold, Haile, G. R. B. Hayes, M. Hayes, Hudson, Kelley, Lambert, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thurston, Walden, Young and Mr. Speaker—49.

NOES—Messrs. Calderwood, Carothers, De Haven, Finney, Hawley, Hubner, King, Koutz, Lewelling, McClaskey, Power, Sammons, Thomas, Waldron, Williams and York—16.

Title approved.

Mr. Duffy gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

REPORT.

Mr. Biggs, from the Committee on Public Buildings and Grounds, made the following report :

Mr. SPEAKER: Your committee, to whom was referred Assembly Bill No 594—An Act to authorize the Governor and Attorney-General of the State of California to donate and execute a deed of the buildings and grounds formerly known as the State Reform School—have had the same under consideration, and offer a substitute for the original bill and recommend the passage of the substitute.

BIGGS, for Committee.

Bill ordered on file

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called

Quorum present

Mr. McMurry of El Dorado was granted leave of absence for two days.

Mr. Martin of Butte moved to reconsider the vote by which a resolution making the general file the special order for twelve o'clock M. was adopted

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

Mr. Martin of Siskiyou offered a resolution, as follows:

Resolved, That no motion shall be entertained for a suspension of the rules without the question is sustained by a two-thirds vote, taken by a division of the House or by the ayes and noes.

Laid on the table. on motion of Mr. Martin of Butte.

Mr. Munday offered a resolution, as follows:

Resolved, That the Assembly meet for an evening session this evening, at half past seven o'clock.

Lost.

INTRODUCTION OF BILLS

Bills were introduced, under a suspension of the rules, as follows:

By Mr. Firney—An Act to provide for the payment of certain claims against the Second Township of the County of San Mateo.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

By Mr. Fryer—An Act to legalize the assessment roll of the City of Los Angeles.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

By Mr. Eichelroth—An Act amendatory of and supplementary to an Act entitled an Act concerning roads and highways in the County of Tuolumne, approved February twenty-seventh, eighteen hundred and sixty-six.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

REPORTS

Mr. Biggs, from the Committee on Public Buildings and Grounds, by leave, made the following report :

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 698, have had the same under consideration, and report the same back and recommend its passage.

BIGGS, for Committee

On motion of Mr. Biggs, the rules were suspended to take up the above reported bill.

Considered in Committee of the Whole
[Speaker in the chair.]

IN ASSEMBLY

Reported back with a recommendation that the bill be referred to the Committee on Ways and Means

On which the ayes and noes were demanded by Messrs Horan, Stephens and Odell, and it was so referred, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Doss, Escandon, Gildea, Green, Haile, Hihn, Hubner, Hudson, Martin of Butte, Martin of Siskiyou, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Newell, Pool, Power, Robinson, Ryan, Satterwhite, Slicer, Thomas, Walden, York and Young—33.

NOES—Messrs. Biggs, De Haven, Duffy, Eichelroth, Finney, Hawley, G. R. B. Hayes, M. Hayes, Horan, Johnson, King, Koutz, Lambert, McClaskey, McMillan, Mooney, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Oates, Odell, Rockwell, Romer, Scarce, Shoemaker, Stephens, Thurston, Waldron, Williams and Mr. Speaker—30.

Mr. Berry, from the Committee on Engrossment, made the following report :

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 699—An Act supplementary to an Act entitled an Act to regulate fees of office and the salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 657—An Act making appropriations for the support of the civil Government of the State of California for the twenty-second and twenty-third fiscal years, commencing on the first of July, A. D. eighteen hundred and seventy, and ending on the thirtieth of June, A. D. eighteen hundred and seventy-two.

Also, Assembly Bill No. 589—An Act to provide for the protection of lands in the County of Sutter from overflow

Also, Assembly Bill No. 674—An Act for the relief of John Haines.

Also, Assembly Bill No. 604—An Act to authorize the Treasurer of San Joaquin County to transfer certain funds to the General School Fund of said county.

Also, Assembly Bill No. 692—An Act to provide for competitive schol-

arships for the benefit of meritorious young men desirous of entering the State University.

BERRY, for Committee

Mr. Martin of Siskiyou, from the Committee on Enrolment, made the following report :

MR. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 482—An Act providing for the construction of a public road in Marin County.

And this day, at one o'clock and thirty-five minutes P M., presented the same to the Governor for his approval

MARTIN (of Siskiyou), for Committee.

SPECIAL ORDER.

The special order for two o'clock P. M., motion to reconsider the vote striking enacting clause out of Assembly No. 214—An Act to establish the California State Board of Immigration—was taken up

Mr Eichelroth was allowed to withdraw his notice of a motion to reconsider the vote striking out the enacting clause of the bill.

Mr Martin of Butte moved to reconsider the vote by which Assembly Bill No 556 passed on yesterday.

Mr. Haile moved to indefinitely postpone the motion to reconsider.

Mr. G R B Hayes moved the previous question.

Sustained.

On the motion to indefinitely postpone, the ayes and noes were demanded by Messrs. Haile, Slicer and Oates, and the House refused, by the following vote :

AYES—Messrs Andrews, Berry, Carothers, De Haven, Escandon, Gildea, Green, Haile, M. Hayes, Hihn, Hubner, Hudson, Kelley, Kontz, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Munday, Murphy of Santa Clara, Newell, Pool, Power, Robinson, Rockwell, Sammons, Scarce, Shoemaker, Slicer, Thomas and Thurston—30.

NOES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Doss, Duffy, Eichelroth, Finney, Fryer, Griswold, Hawley, G R B. Hayes, Horan, Inman, Johnson, King, Lewelling, Martin of Butte, McClaskey, McMillan, Merritt, Miller of Marin, Mooney, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, O'Connell, Oates, Romer, Ryan, Satterwhite, Stephens, Walden, Waldron, Williams, Young and Mr. Speaker—39.

On the motion to reconsider the vote by which the bill passed, the ayes and noes were demanded by Messrs. Waldron, Romer and Oates, and the vote was reconsidered, by the following vote :

AYES—Messrs Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Doss, Duffy, Finney, Griswold, Hawley, G R. B. Hayes, Horan, Inman, Johnson, King, Lewelling, Martin of Butte, McClaskey, McMillan, Merritt, Miller of Marin, Mooney, Moynihan, Murphy of Del Norte and Klamath, Oates, O'Connell, Romer, Ryan, Satterwhite, Stephens, Walden, Waldron, Williams, Young and Mr. Speaker—36

NOES—Messrs. Andrews, Berry, Carothers, Eichelroth, Escandon, Gildea, Green, Haile, M. Hayes, Hihn, Hubner, Hudson, Kelley, Koutz, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Munday, Murphy of Santa Clara, Newell, Pool, Power, Robinson, Rockwell, Sammons, Scarce, Shoemaker, Slicer, Thomas and Thurston—30.

Read a third time

Mr. Doss moved to indefinitely postpone the bill

Mr. Gildea moved to make the bill the special order for Monday, at two o'clock P. M.

On which the ayes and noes were demanded by Messrs. Satterwhite, Gildea and Haile, and the House refused, by the following vote:

AYES—Messrs. Andrews, Berry, Carothers, Escandon, Gildea, Green, M. Hayes, Hihn, Hubner, Hudson, Koutz, Martin of Siskiyou, Miller of El Dorado, Munday, Murphy of Santa Clara, Newell, Pool, Robinson, Ryan, Sammons, Scarce, Slicer, Thomas and Thurston—24

NOES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Doss, Duffy, Finney, Fryer, Griswold, Haile, Hawley, G. R. B. Hayes, Horan, King, Lewelling, Martin of Butte, McClaskey, McMillan, Merritt, Miller of Marin, Mooney, Moynihan, Murphy of Del Norte and Klamath, Oates, O'Connell, Power, Romer, Satterwhite, Stephens, Walden, Waldron, Williams, Young and Mr. Speaker—36.

When the motion of Mr. Doss prevailed, and the bill was indefinitely postponed.

On motion of Mr. Ryan, the special order set for this day at three o'clock P. M., being Assembly Bill No 681, was postponed to the same hour on Tuesday next

REPORTS.

Mr. Ryan, from the Committee on Enrolment, submitted the following report:

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 645—An Act to regulate fees of office and salaries of certain officers in the County of San Luis Obispo.

Also, Assembly Bill No 684—An Act amendatory of and supplementary to an Act entitled an Act to provide terminal depot grounds for the Terminal Central Pacific Railway Company, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, substitute for Assembly Bill No 196—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six.

Also, Assembly Bill No. 615—An Act granting leave of absence to John Gale, District Attorney of Sierra County.

Also, Assembly Bill No. 641—An Act to amend an Act entitled an Act to reincorporate the City of Sonora, approved April tenth, eighteen hundred and sixty-two.

Also, Assembly Bill No 506—An Act to appropriate money for the relief of James W. Marshall.

Also, Assembly Bill No. 647—An Act granting leave of absence to W B C. Brown, County Clerk of the County of Sacramento

Also, Assembly Bill No 334—An Act to amend an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

Also, Assembly Concurrent Resolution No. 37—In reference to the Presidio, near San Francisco.

Also, substitute for Assembly Bill No. 128—An Act to amend an Act entitled an Act to amend section one hundred and twenty-one of an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty-one, approved March sixteenth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 146—An Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 408—An Act to appropriate money for the relief of General John A. Sutter.

Also, Assembly Bill No 339—An Act to create a Board of Levee and Street Commissioners in and for the Town of Pacheco, Contra Costa County, and define their powers and duties.

Also, Assembly Bill No. 613—An Act to amend section one of an Act entitled an Act to authorize the Board of Supervisors of Del Norte County to levy a special tax and create a Redemption Fund for the payment of county indebtedness, approved March thirteenth, eighteen hundred and sixty-six.

Also, Assembly Bill No. 446—An Act concerning roads and highways in the County of Placer.

And this day, at eleven o'clock A. M., presented the same to the Governor for his approval.

RYAN, Chairman.

Mr. Lewelling, from the Committee on Enrolment, made the following report:

MR SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 239—An Act to promote the study of anatomy.

Also, Assembly Bill No 655—An Act to encourage the destruction of squirrels, gophers and other wild animals in the Counties of Santa Clara and Monterey, and create a Bounty Fund therefor.

Also, Assembly Bill No. 607—An Act amendatory of and supplemental to an Act entitled an Act to reincorporate the City of Sonora, approved April tenth, eighteen hundred and sixty-two.

Also, Assembly Bill No 534—An Act to authorize the Board of Supervisors of Humboldt County to transfer money from the Building Fund to the Road Fund.

Also, Assembly Joint Resolution No 55—Directing the State Librarian to deliver to each of the Judges of the United States Courts on the Pacific Coast a copy of the California Reports.

Also, Assembly Bill No. 564—An Act to confer additional powers upon the Board of Trustees of the Town of Eureka, in the County of Humboldt.

Also, Assembly Bill No 639—An Act concerning the revenue.

Also, Assembly Bill No. 493—An Act to increase the number of Notaries Public for Stanislaus and Merced Counties.

Also, Assembly Bill No. 646—An Act granting leave of absence to F. R. Dray, County Assessor of the County of Sacramento.

Also, Assembly Bill No. 654—An Act to authorize the Assessor of Contra Costa County to employ a deputy.

Also, Assembly Bill No. 516—An Act granting leave of absence to S. P. Moffat, County Clerk of Inyo County

Also, substitute for Assembly Bill No. 309—An Act to authorize the State Treasurer to surrender certain bonds.

Also, Assembly Concurrent Resolution No. 36

Also, Assembly Bill No. 609—An Act to legalize and provide for the collection of delinquent taxes in the County of Yolo for the fiscal year commencing March first, eighteen hundred and sixty-nine.

Also, Assembly Bill No. 602—An Act to define and establish the boundary line between the Counties of Mono and Inyo.

Also, substitute for Assembly Bill No. 429—An Act granting to certain persons therein named the right to lay a railroad track along certain streets in the City of Sacramento

And this day, March twenty fifth, at ten o'clock and thirty minutes A M, presented the same to the Governor for his approval.

LEWELLING, for Committee

Mr. Gildea moved to reconsider the vote by which Assembly Bill No. 692 passed on yesterday.

Carried

By unanimous consent, the Clerk was instructed to amend the bill by striking out "public schools" and to insert "any schools of this State"

Read a third time and passed as amended; title approved.

INTRODUCTION OF BILLS.

Bills were introduced, under a suspension of the rules, as follows:

By Mr. Hihn—An Act to amend an Act entitled an Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county, approved January thirty-first, eighteen hundred and seventy

Read first and second times and referred to the Santa Cruz delegation.

By Mr. Hudson—An Act authorizing the County of Sonoma to aid the California Pacific Railroad Company.

Read first and second times and referred to the Sonoma and Napa delegations.

By Mr. Martin of Butte—An Act to establish pounds in the several townships of the County of Butte.

Read first and second times and ordered on file

By Mr. Biggs—An Act to amend an Act entitled an Act to reduce and establish the salaries of officers and pay of members of the Legislature, approved April twenty-first, eighteen hundred and fifty-six

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

By Mr. McMillan—An Act to amend an Act entitled an Act to create and organize the University of California

Read first and second times and ordered on file

By Mr. Stephens—An Act for the relief of Clara Kohn.

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

SENATE MESSAGES

The following messages were received from the Senate:

SENATE CHAMBER,
March 24th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Assembly Bill No. 334—An Act to amend an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

Also, Assembly Bill No. 383—An Act to amend an Act entitled an Act to amend the revenue laws, approved April fourth, eighteen hundred and sixty-four

Also, Assembly Bill No. 506—An Act to appropriate money for the relief of James W. Marshall.

Also, Assembly Bill No. 408—An Act to appropriate money for the relief of General John A. Sutter.

Also, Assembly Bill No. 381—An Act to amend an Act entitled an Act to provide for the incorporation of colleges, passed April twentieth, eighteen hundred and fifty.

Also, amended and passed Assembly Bill No. 413—An Act to legalize, ratify and confirm deeds of conveyance and mortgages of lands within the pueblo lands of San Diego.

Also, amended and passed substitute for Assembly Bill No. 468—An Act to authorize and empower George F. Nourse, of the Town of Chico and County of Butte, his associates and assigns, to build and run a street railroad from Chico Landing, on the Sacramento River, to the Town of Chico, Chico Township, County of Butte, and for branch lines thereto.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 24th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No. 684—An Act amendatory of and supplementary to an Act to provide terminal depot grounds for the Terminal Central Pacific Railroad Company, approved March twenty-eighth, eighteen hundred and sixty-eight.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 24th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No. 645—An Act to regulate fees of office and salaries of certain officers in the County of San Luis Obispo.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 24th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, adopted the report of the Committee of Conference appointed on disagreeing vote on Assembly Bill No. 196—An Act to amend an Act

entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 25th, 1870 }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on March twenty-third, passed, under suspension of the rules, Senate Bill No. 390—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 25th, 1870 }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on March twenty-fourth, passed, under suspension of the rules, substitute for Senate Bill No. 113—An Act for the relief of Charles Welsh

Also, Senate Bill No. 534—An Act to provide for the improvement of the water front of the City and County of San Francisco.

And, on the twenty-fifth instant, amended and passed Assembly Bill No. 120—An Act to amend an Act to authorize the Board of Supervisors of the several counties of the State to grant the right to construct wharves on the overflowed and submerged lands of this State.

Also, Assembly Bill No. 218—An Act to amend an Act entitled an Act to authorize the formation of corporations to provide members thereof with homesteads and lots of land suitable for homesteads.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 25th, 1870 }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on Wednesday, the twenty-fifth instant, amended and passed, under suspension of the rules, Assembly Bill No. 512—An Act establishing a Commission for the revision of the laws

Also, Senate Bill No. 211—An Act supplementary to an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, amended and passed Assembly Bill No. 162—An Act to authorize E. J. Bricknell and his associates and assigns, to improve the channel of the Truckee River from its source to the Town of Truckee, and to erect floodgates therein and to collect tolls.

Also, on yesterday, under suspension of the rules, amended and passed Assembly Bill No. 451—An Act to provide for the payment of the funded indebtedness of the State of California and to contract a funded debt for that purpose.

Also, amended and passed Assembly Bill No. 499—An Act to grant

the right to convey water in pipes to supply the inhabitants of the Town of Oroville.

Also, Senate Bill No. 642—An Act to change the terms of the District Court of the Thirteenth Judicial District of the State of California, in and for the Counties of Tulare, Fresno and Mariposa

Also, by unanimous consent, adopted Assembly Concurrent Resolution No. 61—Authorizing a correction in Assembly Bill No 57 by the Enrolling Clerk, which said bill is herewith returned.

Also, indefinitely postponed Assembly Bill No 131—An Act to authorize James H. Thompson and William Stanner, and their associates, successors and assigns, to build and maintain a wharf at the City of Vallejo, in the County of Solano.

Also, passed Assembly Bill No 459—An Act to authorize the Board of Supervisors of Sutter County to construct a bridge across the tule, at or near the point where the Stone Road now crosses said tule, and to collect tolls thereon

Also, Assembly Bill No. 357—An Act to authorize the Mayor of the City and County of San Francisco to deed a certain lot of land in said city and county to the Trustees of the Associated Veterans of the Mexican War.

Also, Assembly Bill No 412—An Act to authorize the Mayor and Common Council of the City of Stockton to donate one hundred thousand dollars to the Stockton and Copperopolis Railroad Company.

Also, Assembly Bill No. 411—An Act to alter and better define the corporate limits of the Town of Santa Rosa, in the County of Sonoma.

Also, Assembly Bill No. 336—An Act to legalize the acts and proceedings of the Mayor and Common Council of the City of Sonora.

Also, Assembly Bill No. 326—An Act to legalize the assessment of taxes in the County of Contra Costa for the fiscal years eighteen hundred and sixty six, eighteen hundred and sixty-seven, eighteen hundred and sixty-eight and eighteen hundred and sixty-nine.

Also, Assembly Bill No 404—An Act to authorize the Board of Supervisors of Solano County to levy an additional road tax.

Also, Assembly Bill No 521—An Act granting leave of absence to N. D. Witt, District Attorney of San Luis Obispo County.

Also, Assembly Bill No. 229—An Act to legalize the survey of Clark's addition to the Town of Eureka

Also, Assembly Bill No. 455—An Act to provide for the location and laying out of a public road from Russian River, in Sonoma County, to Gualalla River, in Sonoma County.

Also, Assembly Concurrent Resolution No 14—Asking donation of lands in Siskiyou County.

Also, passed, under suspension of the rules, Assembly Bill No 500—An Act to authorize the construction of a swing or draw bridge across the San Antonio Creek, in the County of Alameda

Also, Assembly Bill No 682—An Act granting leave of absence to James B. Hume, Sheriff of El Dorado County

Also, Assembly Bill No 591—An Act to incorporate the Town of Hornitas.

Also, Assembly Bill No 482—An Act providing for the construction of a public road in Marin County

Also, Assembly Bill No 571—An Act granting leave of absence to A. P. Overton, District Attorney of Sonoma County

Also, Assembly Bill No. 669—An Act to provide for relocating the county seat of Monterey by the qualified electors of said county

Also, Assembly Bill No. 685—An Act to establish a State Normal School.

Also, Assembly Bill No. 599—An Act to confer additional powers on the Board of Supervisors of Mono County

Also, Assembly Bill No. 588—An Act concerning roads and highways in the County of Lassen.

Also, Assembly Bill No. 443—An Act to amend an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine, and the Acts amendatory thereof and supplementary thereto

Also, Assembly Bill No. 507—An Act to authorize the Board of Supervisors of Merced County to levy a tax for road purposes and to direct the application thereof.

Also, Assembly Bill No. 405—An Act to amend an Act entitled an Act to incorporate the Town of Union, approved February second, eighteen hundred and fifty-eight

Also, Assembly Concurrent Resolution No. 39—Asking Congress to make appropriation for building purposes on certain land in San Francisco.

Also, Senate refused to concur in Assembly amendments to Senate Bill No. 469—An Act to authorize the publication of certain legal notices in a State paper, printed at the seat of Government of the State of California.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 413, above reported, Senate amendments concurred in

Assembly Bill No. 512, above reported, Senate amendments concurred in.

Assembly Bill No. 162, above reported, Senate amendments concurred in

Assembly Bill No. 120, above reported, Senate amendments concurred in.

Assembly Bill No. 451, above reported, Senate amendments concurred in.

Assembly Bill No. 499, above reported, Senate amendments concurred in.

Substitute for Assembly Bill No. 463, above reported, Senate amendments concurred in.

Senate Bill No. 390, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 642, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 469, above reported, the House receded from its amendment to the bill.

Substitute for Senate Bill No. 113, above reported, read first and second times and ordered on file

Senate Bill No. 211, above reported, read first and second times and referred to the Committee on Public Lands.

Senate Bill No. 534, above reported, read first and second times and

referred to the Committee on Commerce and Navigation, with instructions to report to-morrow.

Mr. Inman, by leave, offered the following resolution :

Resolved, That the use of this chamber be tendered to Mrs. Amy Field, to-night, for the purpose of lecturing against woman's suffrage.

Adopted

On motion of Mr. Johnson, the rules were suspended to take up Assembly Bill No. 290, which was made the special order for Monday next, at two o'clock P. M.

GENERAL FILE.

Assembly Bill No. 1—An Act to provide for a State Board of Equalization—was withdrawn by Mr. Lambert, the author.

Senate Bill No. 153—An Act to equalize taxation among the counties of this State.

Mr. Hihn offered a substitute.

Mr. Rockwell offered an amendment to the amendment.

Mr. Martin of Butte moved the previous question

On which the ayes and noes were demanded by Messrs. Haile, Blankenship and Hudson, and the main question was ordered, by the following vote :

AYES—Messrs. Biggs, Brown of Yuba, Calderwood, De Haven, Doss, Duffy, Escandon, Haile, Hawley, M. Hayes, Horan, Hudson, Johnson, Kelley, King, Koutz, Lambert, Martin of Butte, McClaskey, McMillan, McMurry of Trinity, Merritt, Moynihan, Munday, Murphy of Del Norte and Klamath, Oates, Odell, Robinson, Sammons, Satterwhite, Scarce, Slicer, Stephens and Mr. Speaker—34.

NOES—Messrs. Andrews, Appling, Berry, Blankenship, Brown of Amador, Carothers, Crigler, Fryer, Griswold, G. R. B. Hayes, Hihn, Hubner, Inman, Martin of Siskiyou, Miller of El Dorado, Miller of Marin, Naphtaly, Newell, O'Connell, Pool, Power, Rockwell, Romer, Ryan, Thomas, Waldron and Young—27.

The amendment offered by Mr. Rockwell was lost.

On the substitute offered by Mr. Hihn, the ayes and noes were demanded by Messrs. Hihn, Berry and Haile, and the House refused to adopt, by the following vote :

AYES—Messrs. Appling, Berry, Blankenship, Brown of Amador, Carothers, Duffy, G. R. B. Hayes, Hihn, Hubner, Johnson, Miller of Marin, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Robinson, Ryan, Satterwhite, Shoemaker, Waldron and Young—19.

NOES—Messrs. Andrews, Biggs, Brown of Yuba, Calderwood, Crigler, De Haven, Doss, Eichelroth, Escandon, Gildea, Griswold, Haile, Hawley, M. Hayes, Horan, Hudson, Inman, Kelley, King, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Moynihan, Munday, Naphtaly, Newell, Oates, Odell, Pool, Power, Sammons, Scarce, Slicer, Thomas and Mr. Speaker—42

Read a third time

On the passage of the bill, the ayes and noes were demanded by Messrs. Naphtaly, Haile and Berry, and it passed, by the following vote :

AYES—Messrs Andrews, Appling, Berry, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Crigler, Doss, Duffy, Eichelroth, Escandon, Fortune, Fryer, Gildea, Griswold, Haile, G. R. B. Hayes, M. Hayes, Horan, Hudson, Kelley, King, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Power, Romer, Sammons, Scarce, Shoemaker, Slicer, Stephens, Thurston, York, Young and Mr. Speaker—53.

NOES—Messrs Blankenship, Carothers, De Haven, Hihn, Hubner, Johnson, Miller of Marin, Murphy of Santa Clara, Robinson, Ryan, Satterwhite, Thomas and Waldron—13.

Title approved

Mr. G. R. B. Hayes gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

At four o'clock and fifty minutes P. M., on motion of Mr. Satterwhite, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, March 26th, 1870 }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Rev Mr. Gober.

Journal of yesterday read and approved.

All the absentees were granted leave of absence for one day.

REPORTS OF STANDING COMMITTEES.

Mr. Blankenship, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 586—An Act to provide for the removal of the Danville District school house, in the County of Contra Costa.

Also, Assembly Bill No. 690—An Act concerning the Magdalen Asylum of the City and County of San Francisco.

Also, Assembly Bill No. 676—An Act to provide for the formation of corporations for the accumulation of funds and savings, and the direct promotion of manufacturing and mechanic arts, agriculture and mining.

Also, Assembly Bill No. 693—An Act to amend an Act entitled an Act to regulate fees of office

BLANKENSHIP, for Committee.

Mr. Rockwell, Chairman of the Committee on Commerce and Navigation, reported back Senate Bill No. 534—An Act to provide for the improvement of the water front of the City and County of San Francisco—recommending its passage, for reasons set forth in the report

[For report, see Appendix.]

Mr. Biggs moved to suspend the rules, to take up the above reported bill, and that it be made the special order for Tuesday, at two o'clock P.M.

Lost

Mr. Rockwell moved to suspend the rules, to take up the bill, to consider it now.

On which the ayes and noes were demanded by Messrs Biggs, Martin of Butte, and Hihn, and the motion prevailed, by the following vote:

AYES—Messrs. Andrews, Berry, Blankenship, Brown of Amador, Carothers, Crigler, Duffy, Escandon, Finney, Fryer, Gildea, Griswold, Haile, G. R. B. Hayes, M. Hayes, Hihn, Horan, Hubner, Hudson, Inman, Johnson, Lambert, Martin of Siskiyou, McMillan, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, O'Connell, Pool, Robinson, Rockwell, Romer, Ryan, Shoemaker, Shores, Slicer, Stephens, Thomas, Walden, York, Young and Mr. Speaker—48.

NOES—Messrs. Appling, Biggs, Brown of Yuba, De Haven, Eichelroth, Kelley, King, Kontz, Martin of Butte, McClaskey, Miller of Marin, Oates, Odell, Power, Satterwhite, Scarce and Waldron—17.

Mr. Martin of Butte moved to refer to the Judiciary Committee, with special instructions to report on Tuesday next, and that the usual number of copies be printed.

Carried.

Mr. Lambert, from the Committee on Ways and Means, made the following reports:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No. 698—An Act authorizing the issuance of State bonds to the amount of two hundred and fifty thousand dollars, to be known as State Capitol bonds—have had the same under consideration, and deem the said bill subject to the objection contained in article eight, section one, of the Constitution of the State, and herewith report the said bill back and recommend that it be referred to the Judiciary Committee, with a view of passing upon such constitutional objection.

LAMBERT, Chairman.

Assembly Bill No. 698, above reported, referred to the Judiciary Committee.

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No. 680—An Act appropriating money for the support of the several charitable institutions therein named, during the twenty-second and twenty-third fiscal years, commencing on the first day of July, eighteen hundred and seventy, and ending on the first day of July, eighteen hundred and seventy-two, inclusive—have had the same under consideration, and herewith report the bill back, with sundry amendments, and recommend its passage as amended.

LAMBERT, Chairman.

Mr SPEAKER: The Committee on Ways and Means, to whom was referred Senate Bill No. 355—An Act for the endowment of the University of California—have had the same under consideration, and report the bill back to the Assembly and recommend its passage.

Also, Assembly Bill No. 703—An Act to amend an Act to reduce and establish the salaries of officers and pay of members of the Legislature; also, Assembly Bill No. 671—An Act concerning money at interest or otherwise; also, substitute for Senate Bill No. 37—An Act to provide for the collection of delinquent taxes—and report the same back and recommend that they do not pass.

They have also had under consideration Senate Bill No. 622—An Act to provide for the construction of a wagon road from and to the Yosemite Valley and Big Tree Grove—and report the same back without recommendation.

LAMBERT, Chairman.

Mr. Finney, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 667—An Act to provide funds for the construction and improvement of highways in the County of San Mateo.

Also, Assembly Bill No. 700—An Act to provide for the payment of certain claims against the Second Township of the County of San Mateo.

FINNEY, for Committee.

Mr. Hudson, from the Sonoma and Napa delegations, made the following report:

Mr. SPEAKER: The Sonoma and Napa delegations, to whom was referred Assembly Bill No. 708, have examined the same, beg leave to report the same back and recommend its passage.

HUDSON, for Delegations.

Mr. Hudson moved to suspend the rules, to consider the above reported bill.

Carried.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Rule thirty-two suspended and bill ordered transmitted immediately to the Senate.

Mr. Naphtaly, from the Judiciary Committee, made the following report:

Mr. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 54—An Act to amend an Act entitled an Act for the protection of game, approved May fifteenth, eighteen hundred and fifty-four, and the substitute heretofore offered by the Committee on Agriculture—respectfully report that they have considered said bills, and herewith present a substitute, and recommend the passage of the substitute.

They have also considered Assembly Bill No. 562—An Act concerning the settlement of the estates of deceased persons—and recommend that it do not pass.

They have also considered Senate Bill No. 448—An Act to authorize the Treasurer of Tuolumne County to apportion certain money to the Current Expense Fund of said county, and to pay certain warrants—and recommend its passage.

Your committee also report back Assembly Bill No. 695—An Act to relieve mortgaged property in this State from full taxation—according to instructions, and for want of time to give the same due consideration, they cannot make any recommendation.

Your committee have also considered Senate Bill No. 390—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one—and respectfully report the same back and recommend the passage of the bill.

Your committee have also considered Assembly Bill No. 665—An Act to authorize the appointment of a Justice of the Peace in Township Number Three, Contra Costa County, and other matters relating thereto—and respectfully report the same back, with a substitute therefor, and recommend the passage of the substitute.

NAPHTALY, Chairman.

Mr. Kelley, from the Committee on Agriculture, made the following report :

Mr. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 582—An Act for the encouragement of agriculture and the development of pork raising—have had the same under consideration, and report it back with the recommendation that it do not pass.

Also, substitute for Senate Bills Nos. 143 and 107—An Act to provide for the restoration and preservation of fish in the waters of this State—report it back without recommendation.

KELLEY, Chairman.

Mr. Inman, from the Committee on Public Accounts and Expenditures, made the following report :

Mr. SPEAKER: The Committee on Public Accounts and Expenditures beg leave to report that, in pursuance of the duties devolved upon them, they have examined into the accounts and expenditures of the Assembly for the present session, and find the following bills and charges, as certified to by the Sergeant at-Arms, and allowed by the Chairman of this committee, up to the date of this report :

| | |
|--|----------|
| Sacramento Gas Co., for furnishing pipe and setting metres..... | \$43 90 |
| W. Sharp, for furnishing matting and fitting same | 14 50 |
| Foster & Keeley, for gas burners, gas pipe and labor in putting in same..... | 102 00 |
| Thomas J. Clunie, for rent of Judiciary Committee rooms, for February and March | 80 00 |
| Union Wood Yard, for coal and wood..... | 8 25 |
| Kramer & Evatt, for keys, locks, etc | 108 75 |
| Dale & Co., patent pocket slates, pencils, etc..... | 105 00 |
| Carried forward | \$462 40 |

| | |
|---|-----------------|
| Brought forward..... | \$462 40 |
| Thomas J. Clunie, for rent of rooms for the Committees on Ways and Means and Fees and Salaries, for the months of February and March and part of April..... | 140 00 |
| W. Sharp, for matting and fitting same..... | 9 94 |
| R. C. Terry & Co., for cleaning and repairing stoves, etc., in Assembly room..... | 8 50 |
| W. Lee, for making and washing towels..... | 14 75 |
| David Bush, for repairing gas fixtures in room number seven.... | 1 50 |
| P. H. Russell, for brooms, oil, soap, etc..... | 19 50 |
| Thomas McHugh, for hauling furniture, etc..... | 5 00 |
| Thomas J. Clunie, for wood furnished Judiciary Committee, and Committee on Ways and Means, and Committee on Fees and Salaries, to end of session. | 20 00 |
| John J. Cass, for locks and keys | 20 00 |
| P. O. Keeffe, for hauling furniture, books, etc., for various committees | 15 00 |
| Mark Foster, for furnishing soap, etc., and cleaning chandeliers | 8 50 |
| William O'Brien, for drayage..... | 23 00 |
| I. L. Merrill, for furnishing ewers, etc, etc..... | 51 50 |
| W. Sharp, for furnishing matting and binding same, for room of Committee on Fees and Salaries..... | 52 72 |
| Edwards & Co. for ink, pens, etc, etc | 106 12 |
| Total | \$958 43 |

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to draw his warrants for the several amounts herein contained, and in favor of the parties to whom said sums are due.

INMAN, Chairman

The resolution was adopted

Mr. Hihn, from the Santa Cruz delegation, made the following report :

MR. SPEAKER: The Santa Cruz delegation, to whom was referred Assembly Bill No 706—An Act to amend an Act to provide means for the support of the government of the County of Santa Cruz—herewith report the same back and recommend its passage.

HIHN, for Delegation.

On motion of Mr. Hihn, the rules were suspended, and the above reported bill taken up

Rules further suspended, bill considered engrossed, read a third time and passed ; title approved.

Mr. Slicer, from the Nevada delegation, made the following report :

MR. SPEAKER: The Nevada delegation, to whom was referred Senate Bill No 623—An Act supplementary and amendatory of an Act to provide for the location and maintenance of public roads in the County of Nevada, approved March thirtieth, eighteen hundred and sixty-eight—have considered the same, report it back with amendments, and recommend its passage as amended.

SLICER, for Delegation

On motion of Mr. Slicer, the above reported bill was taken up, under a suspension of the rules.

Amendments adopted.

Read a third time and passed; title approved.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report:

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 669—An Act to provide for locating the county seat of the County of Monterey by the qualified electors of said county.

Also, Assembly Bill No. 229—An Act to legalize the survey of Clark's addition to the Town of Eureka.

Also, Assembly Bill No. 443—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine, and the Acts amendatory and supplementary thereto.

Also, Assembly Bill No. 404—An Act to authorize the Board of Supervisors of Solano County to levy an additional road tax.

And this day, at four o'clock P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee

On motion of Mr. Lambert, the rules were suspended to take up Assembly Bill No. 680—An Act making appropriations for the support of the general charitable institutions therein specified, during the twenty-second and twenty-third fiscal years, commencing on the first day of July, eighteen hundred and seventy, and ending on the twentieth day of June, eighteen hundred and seventy-two, inclusive.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back with amendments, and passage recommended as amended

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called

Quorum present.

REPORTS.

Mr. Hihn, by leave, made the following minority report from the Committee on Ways and Means:

MR. SPEAKER: The undersigned, members of the Committee on Ways and Means, would respectfully report that they have had under consideration Senate Bill No. 355—An Act for the endowment of the Univer-

sity of California—and recommend its passage, with the amendments herewith annexed; and, in support of said amendments, we herewith submit that, from the evidence given before the committee, it appears that the University has to its credit the sum of one hundred and seventy-seven thousand dollars, from the proceeds of the sale of tide lands—which amount is required for building purposes; that the assets for the payment of the current expenses of the University consist of one hundred and fifty thousand acres of land, of which there are sold twenty thousand seven hundred acres, at the rate of five dollars per acre. It is estimated that when these lands are all sold, and the money invested, the interest thereon will be ample to defray the current expenses; but the present income from this source is only ten thousand dollars per annum, while the annual current expenses amount to forty-five thousand six hundred dollars.

HIHN,
MERRITT.

Mr. Naphtaly, from the Judiciary Committee, made the following report :

Mr. SPEAKER: The Judiciary Committee, to whom was referred Assembly Bill No. 698—An Act authorizing the issuance of State bonds to the amount of two hundred and fifty thousand dollars, to be known as State Capitol bonds—have had the same under consideration, and report it back and recommend its passage

NAPHTALY, Chairman.

Mr. Fryer, from the Los Angeles delegation, made the following reports :

Mr. SPEAKER: The Los Angeles delegation, to whom was referred Senate Bill No. 450—An Act to authorize the Board of Supervisors of Los Angeles County to borrow money for the purpose of building or purchasing a Court-house—have had the same under consideration, and beg leave to report the same back, with amendments, and recommend the passage of the same as amended.

FRYER, for Delegation.

Mr. SPEAKER: The Los Angeles delegation, to whom was referred Senate Bill No. 619—have had the same under consideration, and beg leave to report it back and recommend its indefinite postponement.

FRYER, for Delegation.

Mr. Fryer moved to suspend the rules, to take up the above reported bills now.

Carried.

Senate Bill No. 619—An Act authorizing the Board of Supervisors of Los Angeles County to erect a Court-house, or, in their discretion, to purchase a building suitable therefor, and to construct a fire-proof vault therein for the safety and preservation of the public records of the county.

On motion of Mr. Fryer, indefinitely postponed.

Senate Bill No. 404—An Act to amend section one of an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Los

Angeles, approved March fifth, eighteen hundred and sixty-eight, approved March thirtieth, eighteen hundred and sixty-eight.

Amendments adopted.

Read a third time and passed; title approved.

Mr Lewelling, from the Committee on Enrolment. made the following reports :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 413—An Act to legalize, ratify and confirm deeds of conveyance and grants of lands within the pueblo lands of San Diego.

And this day, March twenty-sixth, at ten o'clock and twenty minutes, presented the same to the Governor for his approval.

LEWELLING, for Committee.

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 57—An Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary regulations for the City and County of San Francisco.

Also, Assembly Concurrent Resolution No. 61—Authorizing a correction in Assembly Bill No. 57, by the Enrolling Clerk.

Also, Assembly Bill No. 383—An Act to amend an Act entitled an Act to amend the revenue laws, approved April fourth, eighteen hundred and sixty-four

Also, Assembly Bill No. 381—An Act to amend an Act to provide for the incorporation of colleges, passed April twentieth, eighteen hundred and fifty.

And this day, at twelve o'clock and thirty minutes, presented the same to the Governor for his approval.

LEWELLING, for Committee.

INTRODUCTION OF BILLS.

The following bills were introduced, by leave :

By Mr. Gildea—An Act to amend an Act entitled an Act to provide for the appointment of a Reporter of the Supreme Court and to define his duties and compensation, passed at the eighteenth session of the Legislature.

Read first and second times and ordered at the top of the file for Monday next.

By Mr. Miller of El Dorado—An Act concerning lawful fences in the County of El Dorado.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

By Mr. Calderwood—An Act concerning the Road Fund of certain districts in Placer County.

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

MOTIONS AND RESOLUTIONS.

Mr. Naphtaly moved to suspend the rules, to take up Senate Bill No. 355.
Lost.

[Speaker pro tem in the chair.]

Mr. Duffy, in accordance with previous notice, moved to reconsider the vote by which Senate Bill No. 59 passed, on yesterday.

Mr. Haile moved to indefinitely postpone the motion to reconsider.

Mr. Lambert moved the previous question.

Sustained.

The motion to indefinitely postpone the motion to reconsider prevailed.

Mr. G. R. B. Hayes, in accordance with previous notice, moved to reconsider the vote by which Senate Bill No. 153 passed on yesterday, and to make the motion the special order for Tuesday next, at two o'clock P. M.

Lost.

Mr. Slicer moved to indefinitely postpone the motion to reconsider.

Mr. McMurry of Trinity moved the previous question.

Sustained.

On the motion to indefinitely postpone the motion to reconsider, the ayes and noes were demanded by Messrs. G. R. B. Hayes, Berry and Blankenship, and the motion prevailed, by the following vote :

AYES—Messrs Brown of Yuba, Calderwood, Crigler, Doss, Finney, Fryer, Gildea, Green, Haile, Hawley, M. Hayes, Horan, Hudson, Johnson, King, Koutz, Lambert, Lewelling, Martin of Butte, McClaskey, McMurry of Trinity, Miller of El Dorado, Mooney, Munday, Naphtaly, Oates, Odell, Robinson, Scarce, Shores, Slicer, Stephens, Williams, York and Young—35.

NOES—Messrs. Andrews, Appling, Berry, Blankenship, Carothers, De Haven, Duffy, Eichelroth, Fortune, Griswold, G. R. B. Hayes, Hihn, Hubner, McMillan, Miller of Marin, O'Connell, Power, Rockwell, Satterwhite and Thomas—20.

On motion of Mr. Lambert, Assembly Bill No. 650—An Act making appropriations for deficiencies in appropriations made for the nineteenth, twentieth and twenty-first fiscal years, ending June thirtieth, eighteen hundred and seventy—was taken up.

At two o'clock and ten minutes P. M. Mr. Stephens moved to adjourn.

Lost

Assembly Bill No. 660.

Considered in Committee of the Whole.

[Speaker pro tem. in the chair.]

IN ASSEMBLY.

Reported back with amendments and passage recommended.

Amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Martin of Butte, by leave, offered a concurrent resolution in regard to a certain bill now pending in Congress, more particularly defining the character of swamp and overflowed lands

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced, by leave, as follows :

By Mr. Naphtaly—An Act concerning actions for divorce.

Read first and second times and referred to the Judiciary Committee.

By Mr. G. R. B. Hayes—An Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

Mr Appling moved to suspend the rules, to take up Senate Bill No. 514—An Act for the relief of J Scott Ashman, formerly Sheriff of Fresno County.

Carried.

Considered in Committee of the Whole.

[Speaker pro tem. in the chair.]

IN ASSEMBLY

Reported back and passage recommended.

Read a third time and passed; title approved.

At three o'clock and fifteen minutes p. m. Mr. McMillan moved to adjourn

On which the ayes and noes were demanded by the requisite number, and the House adjourned, by the following vote:

AYES—Messrs Berry, Brown of Yuba, Duffy, Eichelroth, Finney, Fortune, Griswold, Hawley, Hudson, Johnson, Koutz, Lambert, Martin of Butte, McClaskey, McMillan, Miller of Marin, Mooney, Munday, Oates, Odell, Romer, Satterwhite, Shores, Thomas, Williams, York and Young—27.

NOES—Messrs. Andrews, Appling, Blankenship, Crigler, Doss, Escandon, Fryer, Gildea, Green, Haile, G. R B Hayes, Hihn, Horan, Hubner, Kelley, King, Lewelling, McMurry of Trinity, Murphy of Santa Clara, Power, Robinson, Rockwell, Slicer and Walden—24.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, March 28th, 1870. }

House met pursuant to adjournment.

Speaker pro tem. in the chair.

Roll called

Quorum present.

Prayer by the Rev. Mr. Gober.

Journal of Saturday read and approved.

One day's leave of absence was granted to all the absentees.

PETITION.

Mr. De Haven presented a petition, asking the passage of an Act appointing Commissioners for the survey of the water front of Eureka.

Laid on the table.

REPORTS OF STANDING COMMITTEES.

Mr Shores, from the Committee on Indian Affairs, made the following report:

Mr. SPEAKER: Your Committee on Indian Affairs have had under consideration Assembly Bill No. 638—An Act to appropriate money to pay the outstanding Indian war bonds issued by the State of California under an Act of the Legislature, approved May third, one thousand eight hundred and fifty-two, and Acts supplementary thereto—beg leave to report the same back with an amendment, and recommend the passage of the same as amended.

Your committee have consulted the Auditor for information in regard to those bonds, and find them to be genuine and a legal demand against the State, and that similar bonds were provided for and paid by an Act of the last Legislature.

SHORES, for Committee.

Mr. Eichelroth, from the Committee on State Hospitals, made the following reports:

Mr. SPEAKER: Your Committee on State Hospitals report back Assembly Bill No. 419—An Act to regulate the practice of medicine and surgery.

Also, Assembly Bill No. 629—An Act to authorize the Governor to appoint a Commissioner and Inspector of Charities.

Also, Assembly Bill No. 193—An Act to provide for the selection and condemnation of a site for a city and county hospital for Sacramento

EICHELROTH, Chairman.

Mr. SPEAKER: Your Committee on State Hospitals report back Assembly Bill No. 92—An Act regulating the preparation of medicinal prescriptions, etc—recommend its passage as amended by committee.

EICHELROTH, Chairman.

Mr. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 161—An Act concerning the Insane Asylum—report the same back.

Also, Assembly Bill No. 199—An Act concerning the Insane Asylum—report the same back.

EICHELROTH, Chairman

Mr. McClaskey, from the Committee on Swamp and Overflowed Lands, made the following report:

Mr. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 649—An Act to authorize and require the Board of Supervisors of Yolo County to approve and certify certain claims against Swamp Land District Number Eighteen—have had the same under consideration and respectfully report the same back and recommend that it do not pass.

McCLASKEY, Chairman.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Concurrent

Resolution No. 39—Asking Congress to make appropriations for building purposes on certain lands in San Francisco.

Also, Assembly Concurrent Resolution No. 14—Asking donation of lands in Siskiyou County.

Also, substitute for Assembly Bill No. 425—An Act to direct the Auditor and Treasurer of Solano County to transfer certain moneys from the Swamp Land Fund and the Redemption Fund of Solano County to the Interest and Redemption Fund

Also, Assembly Bill No. 387—An Act to authorize the Mayor of the City and County of San Francisco to deed a certain lot of land in said city and county to the Trustees of the Associated Veterans of the Mexican War.

Also, Assembly Bill No. 326—An Act to legalize the assessment of taxes in the County of Contra Costa for the fiscal years A. D. eighteen hundred and sixty-six, eighteen hundred and sixty-seven, eighteen hundred and sixty-eight and eighteen hundred and sixty-nine.

Also, Assembly Bill No. 571—An Act granting leave of absence to A. P. Overton, District Attorney of Sonoma County.

Also, Assembly Bill No. 405—An Act to amend an Act entitled an Act to incorporate the Town of Union, approved February second, eighteen hundred and fifty-eight.

Also, Assembly Bill No. 521—An Act granting leave of absence to N. D. Witt, District Attorney of San Luis Obispo County.

Also, Assembly Bill No. 682—An Act granting leave of absence to James B. Hume, Sheriff of El Dorado County.

Also, substitute for Assembly Bill No. 336—An Act to legalize the acts and proceedings of the Mayor and Common Council of the City of Sonoma.

Also, Assembly Bill No. 507—An Act to authorize the Board of Supervisors of Merced County to levy a tax for road purposes, and to direct the application thereof

Also, Assembly Bill No. 599—An Act to confer additional powers on the Board of Supervisors of Mono County.

And this day, at twelve o'clock and thirty minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. Doss, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 706—An Act to amend an Act entitled an Act to provide means for the government of Santa Cruz County and for the funding and payment of the debt of said county, approved January thirty-first, eighteen hundred and seventy.

Also, Assembly Bill No. 680—An Act making appropriations for the support of the several charitable institutions therein specified, during the twenty-second and twenty-third fiscal years, commencing with the first day of July, A. D. eighteen hundred and seventy, and ending with the thirtieth day of June, A. D. eighteen hundred and seventy-two, inclusive.

Also, Assembly Bill No. 585—An Act supplementary to an Act entitled an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 701—An Act to legalize the assessment roll of the City of Los Angeles.

Also, Assembly Bill No. 528—An Act for the relief of Thomas E. Hughes.

Also, Assembly Bill No. 717—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 689—An Act amendatory of and supplementary to an Act entitled an Act to reincorporate the City of San José, approved March seventeenth, eighteen hundred and sixty-six.

Also, Assembly Bill No. 711—An Act concerning lawful fences in the County of El Dorado.

DOSS, for Committee.

REPORTS OF SELECT COMMITTEES.

Mr. Andrews made the following report :

MR. SPEAKER: The delegations from Shasta, Siskiyou and Tehama, to whom was referred Senate Concurrent Resolution No. 46—Relative to requesting the Postmaster-General to establish Post-offices on the road from Red Bluff to Strawberry Valley, Siskiyou, etc.—have had the same under consideration, and report the same back and recommend its passage.

ANDREWS, for Delegations

On motion of Mr. Andrews, the above reported concurrent resolution was taken up, read a third time and adopted; title approved.

Mr. Power, from the Placer delegation, submitted the following report :

MR. SPEAKER: The Placer delegation, to whom was referred Assembly Bill No. 710, beg leave to report the bill back and recommend its passage.

CALDERWOOD, for Delegation.

Mr. Power moved to take up the above reported bill now.

Carried.

Assembly Bill No. 710—An Act concerning the Road Fund of certain districts in the County of Placer.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Berry, by leave, withdrew Assembly Bill No. 199.

Mr. Eichelroth withdrew Assembly Bill No. 161.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor :

STATE OF CALIFORNIA. EXECUTIVE DEPARTMENT, }
Sacramento, March 6th. 1870 }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 493—An Act to increase the number of Notaries Public for Stanislaus and Merced Counties.

Also, Assembly Bill No. 639—An Act concerning the revenue.

Also, Assembly Bill No. 646—An Act granting leave of absence to F. R. Dray, County Assessor of the County of Sacramento.

Also, Assembly Bill No. 615—An Act granting leave of absence to John Gale, District Attorney of Sierra County.

Also, Assembly Bill No. 647—An Act granting leave of absence to W. B. C. Brown, County Clerk of the County of Sacramento.

Also, Assembly Bill No. 609—An Act to legalize and provide for the collection of delinquent taxes in the County of Yolo for the fiscal year commencing March first, eighteen hundred and sixty-nine.

Also, Assembly Bill No. 307—An Act to authorize the State Treasurer to surrender certain bonds

Also, Assembly Bill No. 128—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 146—An Act amendatory of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 334—An Act to amend an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty

Also, Assembly Bill No. 613—An Act to amend section one of an Act entitled an Act to authorize the Board of Supervisors of Del Norte County to levy a special tax and create a Redemption Fund for the payment of county indebtedness, approved March thirteenth, eighteen hundred and sixty-six.

Also, Assembly Bill No. 654—An Act to authorize the Assessor of Contra Costa County to employ a deputy.

Also, Assembly Bill No. 516—An Act granting leave of absence to S. P. Moffat, County Clerk of Inyo County.

Also, Assembly Bill No. 655—An Act to encourage the destruction of squirrels, gophers, and other wild animals, in the Counties of Santa Clara and Monterey, and create a bounty therefor.

Also, Assembly Bill No. 239—An Act to promote the study of anatomy.

Also, Assembly Bill No. 641—An Act to amend an Act entitled an Act to reincorporate the City of Sonora, approved April tenth, eighteen hundred and sixty-two.

Also, Assembly Bill No. 607—An Act amendatory of and supplemental to an Act entitled an Act to reincorporate the City of Sonora, approved April tenth, eighteen hundred and sixty-two.

Also, Assembly Bill No. 534—An Act to authorize the Board of Supervisors of Humboldt County to transfer money from the Building Fund to the Road Fund.

Also, Assembly Bill No. 564—An Act to confer additional powers upon the Board of Trustees of the Town of Eureka, in the County of Humboldt.

Also, Assembly Bill No. 229—An Act to legalize the survey of Clark's addition to the Town of Eureka.

Also, Assembly Bill No. 404—An Act to authorize the Board of Supervisors of Solano County to levy an additional road tax

Also, Assembly Bill No. 443—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine, and the Acts amendatory and supplemental thereto.

Also, Assembly Bill No. 467—An Act to prescribe the duties of certain officers in the County of Butte.

H. H. HAIGHT,
Governor.

STATE OF CALIFORNIA. EXECUTIVE DEPARTMENT, }
Sacramento, March 25th, 1870 }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 683—An Act to appropriate money for per diem and mileage of the Legislature

Also, Assembly Bill No. 231—An Act to district the County of San Diego and to provide for the election of Supervisors

Also, Assembly Bill No. 441—An Act to authorize the Board of Trustees of the City of Sacramento to allow a certain claim therein mentioned

Also, Assembly Bill No. 269—An Act to authorize the Board of Supervisors of Butte County to direct the issuance of a warrant to W. S. Reese

Also, Assembly Bill No. 565—An Act to authorize the payment of certain claims against Redwood Township, in the County of San Mateo.

Also, Assembly Bill No. 420—An Act to separate the office of County Recorder from the office of County Clerk of the County of Yuba.

Also, Assembly Bill No. 598—An Act authorizing the Board of Supervisors of the County of Santa Clara to pay to the Sheriff of said county certain moneys therein mentioned.

Also, Assembly Bill No. 177—An Act to establish and define the powers and duties of the Board of Education of the City of Vallejo.

Also, Assembly Bill No. 143—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 439—An Act to amend section one of an Act entitled an Act extending the time for the payment of a debt of ten thousand dollars, due from Alpine County to Amador County, approved February twenty-ninth, eighteen hundred and sixty-eight, and to provide for the payment thereof.

Also, Assembly Bill No. 350—An Act authorizing the condemnation of private property within the limits of the public streets of the City and County of San Francisco, within the Laguna survey.

Also, Assembly Bill No. 576—An Act to authorize the Treasurer of Lassen County to pay to William Williams a certain sum of money adjudged to be due him for erecting the county buildings of said county.

Also, Assembly Bill No. 631—An Act granting leave of absence from the State to Henry L. Waldo, District Attorney of Amador County

H. H. HAIGHT,
Governor.

REPORT.

Mr. Doss, from the Committee on Engrossment, made the following report :

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No

465—An Act to provide for a street railroad in the City and County of San Francisco.

Also, Assembly Bill No. 659—An Act concerning roads and highways in the County of Sacramento.

Also, Assembly Bill No. 702—An Act amendatory of and supplementary to an Act entitled an Act concerning roads and highways in the County of Tuolumne.

DOSS, for Committee.

MOTIONS AND RESOLUTIONS

Mr. McMillan offered a resolution authorizing the Postmaster of the Assembly to remain ten days after close of session, to forward members their mail.

Laid on the table.

Mr. Duffy offered the following:

Resolved by the Assembly, the Senate concurring, That the old safe formerly used by the State Treasurer, now in the old vault in the Court-house building belonging to the County of Sacramento, be and the same hereby is donated to said county.

Adopted.

Mr King moved to take from the table Senate Bill No 351.

Carried.

Mr. Rockwell moved to place it at the top of the file for to-morrow.

Carried.

Mr. Robinson offered the following resolution:

Resolved, That Assembly Bill No. 448 be placed on file next to Assembly Bill No. 519.

Adopted.

Mr. Martin of Butte offered a resolution, as follows:

Resolved, That no member be allowed to speak more than five minutes on any one bill or question before the House.

Adopted.

Mr King, from the Committee on Corporations, made the following report:

Mr SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 612—An Act concerning gas companies—have considered the same and report the bill back with amendments, and recommend its passage as amended.

KING, Chairman.

On motion of Mr. King, the rules were suspended to consider the above reported bill.

Amendments adopted.

Read a third time and passed; title approved.

Mr Rockwell had leave to withdraw Assembly Bill No. 364.

On motion of Mr. G. R. B. Hayes, the special order for two o'clock p. m. to-day, being the veto message of the Governor on Assembly Bill No. 3, was postponed to same hour to-morrow.

SENATE MESSAGES

The following messages were received from the Senate :

SENATE CHAMBER,
March 26th, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on the twenty-second day of March, passed, under suspension of the rules, substitute for Senate Bill No 62—An Act to amend an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto.

And, on March twenty-third, amended and passed under suspension of the rules, Senate Bill No. 554—An Act to extend the time allowed to the Southern Pacific Railroad Company and the Western Pacific Railroad Company in which to make the terminus of their roads upon certain lands donated to them by the State for that purpose, in the City and County of San Francisco.

And, on March twenty-fifth, passed, under suspension of the rules, Assembly Bill No. 650—An Act to authorize the Board of Supervisors of Marin County to transfer certain funds.

Also, Assembly Bill No. 487—An Act to aid the construction of a wagon road from Round Valley, in Mendocino County, to Hydesville, in Humboldt County.

Also, Assembly Bill No 546—An Act for assessing and collecting revenue in the Town of San Buenaventura, and approving all ordinances and proceedings of the Town Trustees.

Also, Assembly Bill No. 679—An Act amendatory of and supplemental to an Act to authorize the establishment of a Board of Health in the City of Sacramento.

Also, Assembly Bill No. 365—An Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two.

Also, amended and passed, under suspension of the rules, Assembly Bill No. 548—An Act to authorize the Saucelito Land and Ferry Company to establish and maintain a public ferry between Marin County and the City and County of San Francisco.

Also, amended and passed substitute for Assembly Bill No. 444—An Act to authorize the issue of bonds by the County of San Diego to erect county buildings and to obtain a site therefor.

Also, Assembly Bill No. 424—An Act to authorize the Board of Trustees of the City of Benicia to subscribe to the capital stock of a railroad and to issue bonds in payment thereof, and other matters relating thereto.

Also, Assembly Bill No. 474—An Act further to define the powers and duties of the Sheriff of San Francisco.

Also, Assembly Bill No. 317—An Act to authorize the Board of Supervisors of the County of Sutter to enter upon, condemn and take possession of a certain tract of land in said county, to be used as a graveyard.

Also, Senate concurrent resolution, relative to authorizing the Enrolling Clerk to correct an error in bill—An Act providing for the adoption of minors and the legitimizing of children born out of wedlock.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 26th, 1870. }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on this day, adopted a resolution requesting the Assembly to return Assembly Bill No. 500.

And, on the twenty-third instant, passed, under suspension of the rules, Senate Bill No. 559—An Act to empower the Counties of Yolo, Colusa and Tehama to aid in the construction of a railroad in said counties

And, on March twenty-fourth, amended and passed, under suspension of the rules, Assembly Bill No. 144—An Act to locate the county seat for the County of Lake.

And, on this day, passed, under suspension of the rules, Assembly Bill No. 219—An Act to ratify certain acts and ordinances of the Mayor and Common Council of the City of Los Angeles.

And, on yesterday, amended and passed, under suspension of the rules, Senate Bill No. 223—An Act to provide for the improvement of public parks in the City of San Francisco.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 500, above reported, request complied with.

Senate Concurrent Resolution No 60, above reported, adopted.

Senate Bill No. 569, above reported, read first and second times and referred to the delegations named in the bill, with special instructions to report to-morrow.

Senate Bill No. 223, above reported, read first and second times and referred to the San Francisco delegation.

Substitute for Assembly Bill No. 444, above reported, Senate amendments concurred in.

Assembly Bill No. 538, above reported, Senate amendments concurred in.

Assembly Bill No. 144, above reported. Senate amendments concurred in.

Substitute for Senate Bill No. 62, above reported, read first and second times and referred to the Railroad Committee.

Senate Bill No. 554, above reported, read first and second times and referred to the Committee on Corporations.

Mr. Haile moved to take up Senate Bill No. 48—An Act for the relief and support of the California Labor and Employment Exchange.

Carried.

Considered in Committee of the Whole.

[Mr. Andrews in the chair.]

IN ASSEMBLY.

Reported back without amendments and passage recommended.

Mr. Gildea moved to place the bill at the top of the file for to-morrow.

Lost.

Read a third time and passed; title approved.

Mr. Gildea gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Berry—An Act to provide for the funding of the indebtedness of Levee District Number One, in Sutter County

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed ; title approved.

Rule number thirty-two suspended and bill ordered transmitted immediately to the Senate.

By Mr. Hihn—An Act concerning the term of office of the Board of Supervisors of Santa Cruz County.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed ; title approved.

By Mr. Duffy—An Act to amend an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six, approved March twenty-eighth, eighteen hundred and sixty-eight

Read first and second times and referred to the Sacramento delegation

By Mr. McClaskey—An Act to amend an Act entitled an Act to provide for changing the commencement of the term of office of the District Attorney for the County of Yuba

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed ; title approved.

By Mr. Shoemaker—An Act to provide for the recording of papers filed in the Probate Court of the County of Santa Clara, in certain cases.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed ; title approved.

By Mr. Naphtaly—An Act to ratify and confirm the transactions of the First Unitarian Society of San Francisco and of the corporation The Board of Directors of the same.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed ; title approved.

Rule number thirty-two suspended, and bill ordered transmitted immediately to the Senate

By Mr. McMillan—An Act to regulate and establish the salaries of the Board of Fire Commissioners of the Paid Fire Department of the City and County of San Francisco.

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

By Mr. Rockwell—An Act to aid in providing a supply of fresh water from Lake Bigler or other sources, for the use of the inhabitants of the City and County of San Francisco.

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

Mr. Doss, by leave, offered the following resolution :

Resolved, That the Controller of State is hereby authorized and required to draw his warrant for twenty-one dollars, in favor of Arthur Shearer, for papers furnished by him to the Sergeant-at-Arms of the seventeenth session of the Legislature, payable out of the Contingent Fund of the Assembly.

Adopted.

Mr. King offered an amendment to the Constitution of the State, changing the time for convening of the Legislature and inauguration of the Governor.

Read first and second times; rules suspended

Mr. Naphtaly offered an amendment.

Accepted.

Rules further suspended, bill considered engrossed and, by unanimous consent, read a third time and passed, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Blankenship, Brown of Amador, Brown of Yuba, Crigler, De Haven, Doss, Duffy, Finney, Fortune, Fryer, Green, Haile, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Johnson, King, Koutz, Lambert, Martin of Butte, McClaskey, McMillan, McMurry of Trinity, Merritt, Miller of Marin, Mooney, Naphtaly, Oates, Power, Rockwell, Romer, Scarce, Shoemaker, Shores, Slicer, Thomas, Thurston, Walden, York and Young—45.

NOES—Messrs. Munday, Satterwhite and Williams—3.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present

On motion of Mr. Shores, the rules were suspended, and Assembly Bill No. 395 taken up and made the special order for to-morrow, at half-past one o'clock P. M.

Mr. De Haven, by leave, introduced a bill for an Act to create a Board of Commissioners for the port of Eureka, on Humboldt Bay, and to prescribe their powers and duties.

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

Mr. Appling moved to suspend the rules, to take up Assembly Bill No 535.

Lost.

GENERAL FILE.

Assembly Bill No. 709—An Act to amend an Act entitled an Act to provide for the appointment of a Reporter of the Supreme Court and to define his duties and compensation, passed at the eighteenth session of the Legislature.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

SPECIAL ORDERS

At two o'clock P. M. the House took up the special order—Assembly Bill No 545—An Act for the relief of J. J. McCredy.

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY.

Reported back without recommendation.

On motion of Mr. G. R. B. Hayes, the bill was referred to the Judiciary Committee, with special instructions to draw a substitute, and to report the same to-morrow.

Assembly Bill No. 290—An Act amending the State Constitution.

Mr. Gildea offered a substitute.

Mr Hihn moved to recommit to the Judiciary Committee, with special instructions.

Mr. Lewelling offered an amendment to the instructions

When, on motion of Mr. Gildea, the bill, with the substitute, was recommitted to the Judiciary Committee, with instructions to report the same to-morrow.

Special order for two and a half o'clock p. m.—Veto message of Governor on Assembly Bill No. 115—An Act to authorize Michael C. Duffey, Charles W. Scheidel, Theodore A. Coult and Caleb E. Wilcoxsen, and their associates and assigns, to construct and maintain a railroad in the City of Marysville, Yuba County, and the Town of Yuba City, Sutter County.

The question being, "Shall the bill pass, notwithstanding the objections of the Governor?" the roll was called, and the House refused to so pass the bill, by the following vote :

AYES—Messrs Brown of Yuba, Calderwood, Doss, Eichelroth, Finney, Green, Griswold, G. R B Hayes, Henley of Mendocino, Henley of Sonoma, Hudson, Johnson, King, Koutz, McClaskey, Munday, Oates, O'Connell, Odell, Pool, Robinson, Romer, Satterwhite, York and Young—25.

NOES—Messrs Andrews, Appling, Berry, Biggs, Brown of Amador, Carothers, Crigler, De Haven, Duffy, Escandon, Freeman, Fryer, Haile, Hubner, Lewelling, Martin of Butte, McMurry of Trinity, Miller of El Dorado, Mooney, Moynihan, Murphy of Del Norte and Klamath, Naphataly, Power, Shores, Slicer, Stephens, Waldron and Mr. Speaker—28.

Assembly Bill No 476—An Act to amend an Act to provide for the management of the lands belonging to the State.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved

REPORTS.

Mr. Henley of Sonoma, from the Committee on Federal Relations, by leave, made the following reports :

MR. SPEAKER : The Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 58, beg leave to report the same back and recommend its indefinite postponement, for the reason that the matter to which it relates is undergoing a searching investigation by the American Minister in Japan, the result of which will be reported to the authorities at Washington, and thereupon will doubtless receive the proper attention and appropriate action on the part of the United States Government.

HENLEY (of Sonoma), Chairman.

MR. SPEAKER : The Committee on Federal Relations, to whom was referred Assembly Concurrent Resolutions Nos. 47 and 60, beg leave to report the same back and recommend their passage.

HENLEY (of Sonoma), Chairman.

Mr Duffy moved to suspend the rules, to take up Assembly Concurrent Resolution No 58, above reported.

Lost.

GENERAL FILE CONTINUED.

Assembly Bill No. 658—An Act to establish in the City of San Francisco a Labor and Employment Exchange, and to provide for its government and support.

Mr. McMillan offered a substitute.

Adopted.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Bill reported back with amendments and passage recommended.

Amendments adopted.

Rules suspended, bill considered engrossed and read a third time.

Mr. G. R. B. Hayes moved the previous question.

Sustained

On the passage of the bill, the ayes and noes were demanded by Messrs. Berry, Hihn and Shoemaker, and it passed, by the following vote :

AYES—Messrs. Andrews, Duffy, Eichelroth, Escandon, Fortune, Freeman, Gildea, Griswold, Haile, Hawley, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Koutz, McMillan, McMurry of Trinity, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Odell, Pool, Power, Romer, Ryan, Satterwhite, Stephens, Thomas, Williams, Young and Mr. Speaker—32.

NOES—Messrs. Appling Berry, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Crigler, De Haven, Doss, Henley of Mendocino, Hihn, Hubner, Johnson, King, Lewelling, Martin of Butte, McClaskey, McMurry of El Dorado, Merritt, Miller of El Dorado, Mooney, Munday, Robinson, Shoemaker, Shores, Slicer and Waldron—28

Title approved.

Mr. Andrews gave notice that on to-morrow he would move to reconsider the vote by which the bill passed

The report of the Committee on Public Accounts and Expenditures, submitted on the twenty-fourth instant, with a resolution providing for payment for certain daily and weekly newspapers furnished to the members of the House, was adopted

Assembly Concurrent Resolution No. 53—Authorizing the Controller of State to draw warrant on Contingent Fund in favor of Joseph Neumann.

Amendment adopted.

Resolution adopted

Substitute for Assembly Bill No. 265—An Act to fix the rates of fares and freights on railroads, and other matters relating thereto.

Mr. Gildea moved to recommit to the Railroad Committee, with special instructions to strike out section two

On which the ayes and noes were demanded by Messrs. Martin of Butte, Murphy of Del Norte, and Satterwhite, and the House refused, by the following vote :

AYES—Messrs. Andrews, Berry, Calderwood, Crigler, Duffy, Escandon, Fortune, Freeman, Gildea, Haile, G. R. B. Hayes, M. Hayes, Johnson,

Kelley, Koutz, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, O'Connell, Odell, Power, Robinson, Shores, Slicer, Stephens, Thomas and Waldron—29.

NOES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Carothers, De Haven, Doss, Eichelroth, Finney, Fryer, Griswold, Hawley, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, King, Martin of Butte, McClaskey, Mooney, Murphy of Del Norte and Klamath, Naphtaly, Oates, Pool, Rockwell, Romer, Ryan, Satterwhite, Walden, Williams, York, Young and Mr Speaker—33

Mr. Gildea moved to recommit to the Railroad Committee, with the following special instructions: "It shall be unlawful for any company to charge more than five cents per mile for each passenger, or more than seven cents per mile per ton for freight; any violation of this Act—"

On which the ayes and noes were demanded by Messrs. Gildea, Miller of El Dorado, and Berry, and the House refused, by the following vote:

AYES—Messrs. Andrews, Berry, Calderwood, Crigler, Escandon, Fortune, Freeman, Gildea, Haile, Johnson, Kelley, Koutz, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, O'Connell, Odell, Power, Robinson, Ryan, Shores, Slicer, Stephens, Thomas and Waldron—27.

NOES—Messrs. Appling, Biggs, Blankenship, Brown of Yuba, Carothers, De Haven, Doss, Duffy, Eichelroth, Finney, Fryer, Griswold, Hawley, Hubner, King, Lewelling, Martin of Butte, McClaskey, Mooney, Murphy of Del Norte and Klamath, Naphtaly, Oates, Pool, Rockwell, Romer, Satterwhite, Shoemaker, Walden, Williams, York, Young and Mr. Speaker—32.

Mr. Gildea moved to recommit, with special instructions, as follows: Amend by striking out "it shall not be lawful for any company to charge more than eight (8) cents per mile for passengers, nor more than ten (10) cents per ton per mile for freight. Any persons or corporations violating the provisions of this Act shall be fined in a sum not to exceed the sum of one thousand dollars, and one year's imprisonment."

Mr. Calderwood moved the previous question.

Sustained

On the motion of Mr. Gildea, the ayes and noes were demanded by Messrs. Gildea, Andrews and Oates, and the House refused to recommit, by the following vote:

AYES—Messrs. Andrews, Berry, Brown of Amador, Calderwood, Crigler, Fortune, Freeman, Gildea, Haile, M. Hayes, Horan, Hudson, Johnson, Kelley, Koutz, McMurry of Trinity, Miller of El Dorado, Moynihan, O'Connell, Power, Robinson, Shores, Slicer, Stephens, Thomas and Waldron—26

NOES—Messrs. Appling, Biggs, Blankenship, Brown of Yuba, Carothers, De Haven, Doss, Duffy, Eichelroth, Finney, Griswold, Hawley, Henley of Mendocino, Henley of Sonoma, Hubner, King, Lewelling, Martin of Butte, McClaskey, Merritt, Naphtaly, Oates, Pool, Rockwell, Ryan, Satterwhite, Shoemaker, Walden, Williams, York, Young and Mr. Speaker—32.

Read a third time.

On the passage of the bill, the ayes and noes were demanded by

Messrs. Romer, Stephens and Satterwhite, and it passed, by the following vote :

AYES—Messrs. Appling, Biggs, Blankenship, Carothers, Doss, Eichelroth, Escandon, Finney, Griswold, Hawley, Henley of Mendocino, Henley of Sonoma, Hubner, King, Lewelling, Martin of Butte, McClaskey, Merritt, Mooney, Munday, Murphy of Del Norte and Klamath, Naphitaly, Oates, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Walden, Williams, York, Young and Mr. Speaker—34.

NOES—Messrs. Andrews, Berry, Brown of Amador, Brown of Yuba, Calderwood, Crigler, Fortune, Freeman, Fryer, Gildea, M. Hayes, Horan, Hudson, Johnson, Kelley, Koutz, McMurry of Trinity, Miller of El Dorado, O'Connell, Power, Shores, Slicer, Stephens and Waldron—24.

Title approved.

Senate Bill No. 603—An Act to provide for the liquidation of all claims against the State not otherwise provided for by law.

Read a third time and passed; title approved.

Senate Bill No. 113—An Act for the relief of Charles Welsh

Read a third time and passed; title approved.

Mr. Moynihan moved to suspend the rules, to take up Assembly Bill No. 501.

Lost.

Mr. Horan moved to suspend the rules, to take up Assembly Bill No. 698.

Lost.

REPORTS.

Mr. Freeman, from the Sacramento delegation, by leave, made the following report :

Mr. SPEAKER: The Sacramento delegation, to whom was referred Senate Bill No. 300—An Act entitled an Act providing for the appointment of additional Notaries Public in Sacramento County—have had the same under consideration, and respectfully beg leave to report the same back, with amendments, and recommend its passage.

FREEMAN,
STEPHENS,
ODELL,
HORAN,
DUFFY.

Mr. Stephens moved to suspend the rules, to take up the above reported bill now.

Lost.

Mr. Martin of Butte, by leave, submitted the following report :

Mr. SPEAKER: The special committee, to whom was referred Senate Bill No. 342—An Act supplemental to an Act concerning public ferries and toll bridges, approved April twenty-eighth, eighteen hundred and fifty-five—report the same back with amendments, and recommend the passage of the bill as amended.

BIGGS, for Committee.

GENERAL FILE RESUMED

Assembly Bill No. 341—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER,
March 28th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on the twenty-fifth day of March, eighteen hundred and seventy, passed, under suspension of the rules, Senate Bill No. 597—An Act to prevent double taxation.

And, on this day, passed, under suspension of the rules, Senate Bill No. 578—An Act to authorize the Boards of Supervisors of the several counties of this State to grant franchises in their respective counties for clearing out streams, and for using the waters of the same for rafting, floating and booming purposes.

Also, passed, under suspension of the rules, Senate Bill No 583—An Act to provide for the official valuation of life insurance policies.

And, on the twenty-fifth instant, passed, under suspension of the rules, Senate Bill No. 647—An Act granting certain property to the County of Sacramento.

Also, Senate Bill No. 639—An Act to create the County of Oristimbo and define its boundaries.

Also, Senate Bill No. 648—An Act to amend an Act entitled an Act to amend an Act to provide for the liquidation and payment of the indebtedness of the City of Marysville, in Yuba County, and for other purposes, approved February fifth, eighteen hundred and sixty-eight, approved March tenth, eighteen hundred and sixty-eight.

ROBERTS,
Secretary.

SENATE CHAMBER,
March 28th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on the twenty-fifth day of March, amended and passed, under suspension of the rules, Senate Bill No. 128—An Act to legalize and confirm certain grants and sales of town lands by the Board of Trustees of the Town of Santa Barbara and by the Mayor and Common Council of the City of Santa Barbara, made since the passage of the Act of March thirty-first, eighteen hundred and sixty-six.

Also, Senate Bill No. 644—An Act to provide for the payment of the salary of certain officers in the County of Shasta.

Also, substitute for Senate Bill No. 406—An Act supplemental to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets.

And, on March twenty-sixth, under suspension of the rules, passed Assembly Bill No. 353—An Act granting certain privileges to the Potrero and Bay View Railroad Company.

Also, Assembly Bill No. 561—An Act to increase the number of Notaries Public in Monterey County.

Also, Assembly Bill No. 356—An Act for the relief of W. R. Crawford.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 28th, 1870. }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Senate Bill No. 641—An Act concerning the office of the Clerk of the Board of Supervisors and Equalization in the County of Placer.

Also, Senate Bill No. 655—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Senate Bill No. 656—An Act concerning crimes and punishments.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 655, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 656, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 583, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 639, above reported, read first and second times and referred to the Committee on Counties and County Boundaries.

Senate Bill No. 648, above reported, read first and second times and referred to the Yuba delegation.

Senate Bill No. 641, above reported, read first and second times and referred to the Placer delegation.

Senate Bill No. 578, above reported, read first and second times and ordered on file for to-morrow.

Senate Bill No. 644, above reported, read first and second times and ordered third on file for to-morrow.

Senate Bill No. 597, above reported, read first and second times and made the special order for two o'clock P. M. to-morrow.

Senate Bill No. 647, above reported, read first and second times and ordered second on file for to-morrow.

Senate Bill No. 406, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 128, above reported, read first and second times and referred to the Santa Barbara delegation.

REPORT.

Mr. Newell, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No.

714—An Act to provide for the funding of the indebtedness of Levee District Number One, of Sutter County.

Also, Assembly Joint Resolution No. 62—Relative to Julian's bill in Congress, defining swamp and overflowed lands in this State.

Also, amendment to the State Constitution, No. 3

Also, Assembly Bill No. 715—An Act concerning the term of office of the Supervisors of Santa Cruz County.

Also, Assembly Bill No. 660—An Act making appropriations for deficiencies in appropriations made for the nineteenth, twentieth and twenty-first fiscal years, ending on the thirtieth of June, eighteen hundred and seventy.

Also, Assembly Bill No. 716—An Act to amend an Act entitled an Act to provide for changing the commencement of the term of office of the District Attorney of the County of Yuba.

Also, Assembly Bill No. 717—An Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara, in certain cases.

Also, Assembly Bill No. 709—An Act to amend an Act entitled an Act to provide for the appointment of a Reporter of the Supreme Court and to define his duties and compensation, passed at the eighteenth session of the Legislature.

Also, Assembly Bill No. 710—An Act concerning the Road Fund of certain districts in Placer County.

NEWELL, for Committee.

At five o'clock P. M., on motion of Mr. Murphy of Del Norte, the House adjourned.

EVENING SESSION.

At seven o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

The Committee on Claims were allowed to retire, to attend to committee duty.

SPECIAL FILE.

On motion of Mr. Griswold, the rules were suspended, to take up Assembly Bill No. 373—An Act to amend an Act entitled an Act to amend an Act entitled an Act amendatory of article four of an Act entitled an Act to repeal the several charters of the City and County of San Francisco

Substitute adopted.

Rules suspended, bill considered engrossed and read a third time

On the passage of the bill, the ayes and noes were demanded by Messrs. Shoemaker, O'Connell and Lewelling, and it passed, by the following vote:

AYES—Messrs. Andrews, Appling, Biggs, Carothers, Crigler, Duffy, Eichelroth, Fortune, Freeman, Gildea, Griswold, Haile, Hawley, M. Hayes, Henley of Mendocino, Hubner, Hudson, King, Koutz, Lambert, Lewelling, Martin of Butte, McMillan, McMurry of Trinity, Miller of El Dorado, Moynihan, Munday, Murphy of Del Norte and Klamath. Naphtaly, Oates, O'Connell, Odell, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Thurston, York and Young—46

NOES—Messrs. Berry, G. R. B. Hayes, McClaskey, McMurry of El Dorado, Merritt and Waldron—6.

Title approved.

Assembly Bill No. 122—An Act to amend an Act entitled an Act defining the legal distances from each county seat to the Capitol, etc.

Substitute adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Martin of Butte was allowed to withdraw Assembly Bill No. 705, and Mr. Gildea to withdraw Assembly Bill No. 610.

Mr. Rockwell, from the San Francisco delegation, made the following report, by leave:

MR. SPEAKER: The San Francisco delegation, to whom was referred Senate Bill No. 223—An Act to provide for the improvement of public parks in the City of San Francisco—respectfully report that they have considered the bill, and recommend its passage.

ROCKWELL,
M. HAYES,
NAPHTALY,
MOYNIHAN,
McMILLAN,
G. R. B. HAYES,
RYAN,
O'CONNELL,
ROMER,
FORTUNE,
GRISWOLD,
ROGERS.

Mr. Gildea offered a resolution, as follows:

Resolved, That the Controller of State be and is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in favor of Charles A. Sumner, for the sum of sixty-two dollars and fifty cents, mileage and per diem as witness before the Committee on Corporations, subpoenaed by the Sergeant-at-Arms.

Adopted.

Senate Bill No. 296, on motion of Mr. Fortune, laid temporarily on the table.

Senate Bill No. 85—An Act the better to secure the collection of license taxes in the City and County of San Francisco.

Read a third time and passed; title approved.

On motion of Mr. Rockwell, the rules were suspended to take up Senate Bill No. 223, reported by the San Francisco delegation.

Mr. Carothers offered an amendment: To strike out that portion which exempts bonds from taxation.

On which the ayes and noes were demanded by Messrs. Martin of Butte, Oates and Shores, and it was adopted, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Crigler, Escandon, Finney, Freeman, Haile, Henley of Sonoma, Hihn, Horan, Hubner, Johnson, Kelley, Koutz, Lewelling, Martin of Butte, McClaskey, McMillan,

McMurry of El Dorado, McMurry of Trinity, Merritt, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Oates, O'Connell, Pool, Power, Rockwell, Satterwhite, Scarco, Slicer, Thomas, Thurston, Waldron, York and Young—44.

NOES—Messrs. Carothers, Duffy, Eichelroth, Fortune, G. R. B. Hayes, M. Hayes, Henley of Mendocino, King, Moynihan, Naphtaly, Odell, Shores and Walden—13.

Read a third time and passed ; title approved.

SENATE MESSAGE.

On motion of Mr. Haile, the rules were suspended to take up the following Senate message :

SENATE CHAMBER,
March 28th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, as amended, Assembly Bill No. 167—An Act to amend an Act entitled an Act to incorporate the City of Vallejo, approved March thirtieth, eighteen hundred and sixty-eight.

ROBERTS,
Secretary.

Assembly Bill No. 167, above reported, Senate amendments concurred in.

SPECIAL FILE CONTINUED.

Senate Bill No. 448—An Act to authorize the Treasurer of Tuolumne County to apportion certain money to the Current Expense Fund of said county, and to pay certain warrants.

Read a third time and passed ; title approved.

Mr. Duffy gave notice that on to-morrow he would move to reconsider the vote taken on Assembly Bill No. 167.

Assembly Bill No. 640.

Ordered to the general file.

Assembly Bill No. 578—An Act to authorize Thomas Brady, John McDermott, their associates and assigns, to lay down gas pipes in the Town of San Rafael.

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 503

Temporarily passed on file.

Assembly Bill No. 401, and substitute for Assembly Bill No. 272, indefinitely postponed

Assembly Bills No. 228 and 596, withdrawn by their authors.

Assembly Bill No. 544—An Act to authorize the establishment of a steam ferry between the Village of Tomales and the opposite side of Tomales Bay, to Laird's Landing, in Marin County, and to construct wharves and docks for the same

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 458—An Act to declare Old San Joaquin River and Indian or Pescadero Slough a navigable stream

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Assembly Bill No. 606—An Act in relation to sales and conveyances made by the Pacific Savings and Homestead Association.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Martin of Butte gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 85 passed.

Mr. Andrews gave the same notice in reference to the passage of Assembly Bill No. 606.

Assembly Bill No. 611—An Act to authorize the Board of Supervisors of Mendocino County to levy an additional tax for the construction of a wagon road from Ukiah to Mendocino City, etc.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 612—An Act to provide for the construction of a Hall of Records at the county seat of Sonoma County, etc.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 821—An Act to amend an Act entitled an Act in relation to public roads in the County of Amador, and to the Road Fund of said county.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 628—An Act to repeal an Act entitled an Act creating the office of Township Collector and Assessor in the Counties of El Dorado and Amador.

Amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 575

Referred to the Napa, Yolo and San Francisco delegations.

Assembly Bill No. 634—An Act to authorize the County Treasurer of the County of Santa Clara to pay certain claims against said county.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 416—An Act declaring Bull Creek navigable.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 45.

Indefinitely postponed.

Assembly Bill No. 47.

Passed on the file.

Assembly Bill No. 270.

Passed on the file.

Assembly Bill No. 100—An Act granting to E. A. Mason and his assigns a right to construct and maintain a weir, or fish trap, in the Straits of Carquinez, in the County of Contra Costa.

Substitute adopted.

Amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 337.

Withdrawn by its author.

Assembly Bill No. 440—An Act to authorize the Board of Supervisors

of the City and County of San Francisco to appropriate moneys for the celebration of the Fourth of July in said city and county.

Mr. G. R. B. Hayes moved to indefinitely postpone the bill

On which the ayes and noes were demanded by Messrs Doss, McMillan and Oates, and the motion prevailed, by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Blankenship, Brown of Yuba, Carothers, Crigler, Doss, Finney, Fortune, Freeman, Haile, G. R. B. Hayes, Henley of Sonoma, Hihn, Hubner, Hudson, Kelley, Koutz, Lewelling, McClaskey, McMurry of Trinity, Miller of El Dorado, Moynihan, Munday, Newell, Power, Rockwell, Scarce, Shores, Thomas, Williams, York and Mr Speaker—34.

NOES—Messrs. Appling, Duffy, Gildea, Green, Hawley, M. Hayes, Horan, Johnson, Martin of Butte, McMillan, Merritt, Mooney, Murphy of Del Norte and Klamath, Oates, O'Connell, Pool, Shoemaker and Stephens—18.

At nine o'clock and forty minutes P. M., on motion of Mr. McMurry of Trinity, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, March 29th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present

Prayer by the Rev. Mr. Gober.

Journal of yesterday read and approved.

REPORTS.

Mr. Naphtaly, from the Judiciary Committee, made the following report :

Mr. SPEAKER : The Judiciary Committee, to whom was referred Senate Bill No. 534—An Act to provide for the improvement of the water front of the City and County of San Francisco—respectfully report that they have considered said bill, and as no legal question is involved, they report it back, without recommendation

They have also considered Senate Bill No. 655—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—and recommend its passage

They also report to the House, in accordance with instructions, a substitute for Assembly Bill No. 290—Being constitutional amendment to article eleven, section thirteen, of "Promiscuous Provisions "

They also report to the House, in accordance with instructions, a substitute for Assembly Bill No. 545—An Act for the relief of J. J. McCredy.

They have also considered Senate Bill No. 583—An Act to provide for the official valuation of life insurance policies—and recommend its passage.

NAPHTALY, Chairman.

Mr. De Haven, from the Humboldt delegation, made the following report :

MR. SPEAKER : The Humboldt delegation, to whom was referred Assembly Bill No. 722—have had the same under consideration, report the bill back, with an amendment, and recommend the passage of the same as amended.

DE HAVEN, for Delegation.

On motion of Mr. De Haven, the rules were suspended, to take up the above reported bill.

Amendment adopted.

Rules further suspended, bill considered engrossed, read a third time and passed ; title approved.

Mr. McClaskey, from the Yuba delegation, made the following report :

MR. SPEAKER : The Yuba delegation, to whom was referred Senate Bill No. 648—An Act to amend an Act entitled an Act to amend an Act to provide for the liquidation and payment of the indebtedness of the City of Marysville, in Yuba County, and for other purposes, approved February fifth, eighteen hundred and sixty-eight, approved March tenth, eighteen hundred and sixty-eight—report the same back, and recommend that it pass.

McCLASKEY, for Delegation.

Rules suspended, and the bill above reported taken up, read a third time and passed ; title approved.

Mr. Newell, from the Committee on Roads and Highways, made the following report :

MR. SPEAKER : The Committee on Roads and Highways, to whom was referred Assembly Bill No. 508—An Act to amend an Act entitled an Act to provide for establishing, maintaining and protecting public and private roads in the County of Contra Costa, approved March twenty-third, eighteen hundred and sixty-eight—have considered the same, report the bill back, and recommend its passage.

NEWELL, Chairman.

Mr. Horan, from the Committee on Claims, made the following reports :

MR. SPEAKER : Your Committee on Claims, to whom was referred Assembly Bill No. 696—An Act to authorize the payment of certain claims against the State, when approved by the Board of Examiners—having had the same under consideration, report the bill back without recommendation.

Also, Assembly Bill No. 531—An Act to provide for the payment of services rendered the State of California, and to appropriate money to pay the same—report the bill back without recommendation.

Also, Assembly Bill No. 570—An Act for the relief of David B. Akey—report the same back without recommendation.

Also, Assembly Bill No. 486—An Act to authorize the payment of the amount due to the Industrial School, at San Francisco, under contract made with it, pursuant to the Act to provide for the inmates of the State Reform School, approved March thirtieth, eighteen hundred and sixty-eight—report the same back without recommendation.

Also, Assembly Bill No. 620—An Act to authorize an appropriation of three hundred dollars, to pay James M. Sharkey and Lorenzo Hubbard, acting Commissioners for State children and for visits at the Industrial School, San Francisco—report the bill back, and recommend that it pass.

Also, Assembly Bill No. 704—An Act for the relief of Clara Kohn—having considered the same, report the bill back, and recommend that it pass.

HORAN, Chairman.

Mr. Stephens moved to suspend the rules, to take up Assembly Bill No. 704, above reported.

Lost.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following reports:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 650—An Act to authorize the Board of Supervisors of Marin County to transfer certain funds.

Also, Assembly Bill No. 459—An Act to authorize the Board of Supervisors of Sutter County to construct a bridge across the tule at or near the point where the Stone Road now crosses said tule, and collect tolls thereon.

Also, Assembly Bill No. 512—An Act establishing a Commission for the revision of the laws.

Also, Assembly Bill No. 424—An Act to authorize the Board of Trustees of the City of Benicia to subscribe to the capital stock of a railroad and to issue bonds in payment thereof, and other matters relating thereto.

And this day, at two o'clock P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 162—An Act to authorize the Donner Lumber and Boom Company, their associates or assigns, to improve the channel of the Truckee River from its source to the Town of Truckee and erect floodgates thereon, and to collect tolls.

And this day, at two o'clock P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

MOTIONS AND RESOLUTIONS.

Mr. Andrews was allowed to withdraw the notice of a motion to reconsider the vote passing Assembly Bill No. 606 on yesterday.

Mr. Blankenship offered the following concurrent resolution:

Resolved by the Assembly, the Senate concurring, That the Legislature do adjourn Saturday, April second, eighteen hundred and seventy, *sine die*

Mr. Haile offered an amendment fixing the time of adjournment *sine die* on Monday, April fourth, at twelve o'clock P. M.

Resolution and amendment laid over one day.

On motion of Mr. G. R. B. Hayes, Assembly Bill No. 573 was made the special order for twelve o'clock M. to-morrow.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
March 29th, 1870 }

Mr SPEAKER : I am directed to inform the Assembly that the Senate, on yesterday, passed, under suspension of the rules. Assembly Bill No. 585—An Act supplementary to an Act entitled an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six

Also, Assembly Bill No. 676—An Act to provide for the formation of corporations for the accumulation of funds and savings, and the direct promotion of manufacturing and mechanic arts, agriculture and mining

Also, Assembly Bill No. 702—An Act amendatory of and supplemental to an Act entitled an Act concerning roads and highways in the County of Tuolumne, approved February twenty-seventh, eighteen hundred and sixty-six.

Also, Assembly Bill No. 414—An Act to provide for the translation of foreign records in the County of Sonoma, and to make such translations evidence of their contents.

Also, Assembly Bill No. 478—An Act to define and establish the line and width of East street, between Market street and Clay street wharf, in the City and County of San Francisco.

Also, Assembly Bill No. 491—An Act amendatory of an Act entitled an Act in relation to roads and highways in Sonoma County, to provide for the election of one County Commissioner of Roads and Highways and prescribe his duties, and repeal all other Acts so far as they conflict with the provisions thereof, approved March eighth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 264—An Act to authorize the County of Santa Cruz to aid in the construction of railroads and other roads in said county, and for other purposes pertaining thereto.

Also, Assembly Bill No. 256—An Act to authorize the Board of Supervisors of the County of San Joaquin to donate one hundred thousand dollars to the Stockton and Copperopolis Railroad Company, and to provide for the payment of the same, and other matters relating thereto.

Also, passed Assembly Bill No. 463—An Act to authorize the Treasurer of Sutter County to transfer money from the General Fund to the Hospital Fund of said county.

Also, Assembly Bill No. 332—An Act in relation to delinquent taxes in the County of Alpine.

Also, amended and passed Assembly Bill No. 536—An Act to establish a Municipal Court in the City and County of San Francisco, to be called the Municipal Criminal Court of the City and County of San Francisco.

Also, amended and passed Assembly Bill No. 344—An Act to provide for the manner of auditing claims against Humboldt County and to provide for the reduction of taxation therein and expenses thereof.

Also, passed Assembly Bill No. 699—An Act supplementary to an Act entitled an Act to regulate fees of office and the salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 711—An Act concerning lawful fences in the County of El Dorado.

Also, Assembly Bill No. 688—An Act relative to Sheriff's fees in the County of Alameda.

Also, Assembly Bill No. 692—An Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University.

Also, Assembly Bill No. 713—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, passed Assembly Concurrent Resolution No. 57—Authorizing the Enrolling Committee of the Assembly to insert a proviso in Assembly Bill No. 70.

Also, read and adopted Senate Concurrent Resolution No. 61—Relative to landing Chinese women on our shores, having been kidnapped.

Also, Assembly Concurrent Resolution No. 62—Relative to visit of the members of the Legislature and families to San José

Also, indefinitely postponed Assembly Bill No. 263—An Act for the relief of certain settlers on the outside lands of the City and County of San Francisco.

Also, Assembly Bill No. 149—An Act to authorize W. S. Chaffee, Marcus Harloe, Victor Ustusaustgui, Frank Molleda and José de Armaz to build a wharf and railroad track at San Buenaventura, in the County of Santa Barbara

Also, Assembly Bill No. 248—An Act to authorize the construction of a wharf at Vallejo, Solano County, at the foot of Maryland street.

Also, Assembly Bill No. 169—An Act to create the County of San Benito, to define its boundaries and provide for its organization.

Also, on the twenty-fourth instant, passed Assembly Bill No. 677—An Act in relation to labor and materials on the public buildings of this State.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE

Assembly Bill No. 536, above reported, Senate amendments concurred in.

Assembly Bill No. 344, above reported, Senate amendments concurred in.

Senate Concurrent Resolution No. 61, above reported, read first and second times and by unanimous consent, rules suspended and placed on its third reading and passage.

Mr. Duffy offered an amendment, as follows: Strike out all that portion where England is named in the resolution

On the adoption of the amendment, the ayes and noes were demanded by Messrs. Gildea, Miller of El Dorado and Murphy of Del Norte, and the House refused, by the following vote:

AYES—Messrs. Appling, Biggs, Brown of Amador, De Haven, Duffy, Finney, Gildea, Johnson, Miller of El Dorado, Munday, Murphy of Del Norte and Klamath, Newell, Pool, Ryan, Scarce, Waldron and York—17.

NOES—Messrs. Andrews, Berry, Blankenship, Brown of Yuba, Calderwood, Carothers, Crigler, Eichelroth, Fortune, Griswold, Haile, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, King, Koutz, Lambert, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Mooney, Moynihan, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Power, Rockwell, Sammons, Satterwhite, Slicer, Stephens, Thomas, Thurston, Young and Mr. Speaker—42.

When the resolution was adopted.

Senate Concurrent Resolution No. 62, above reported, invitation to the Legislature to visit San José.

On motion of Mr. Murphy of Santa Clara, temporarily laid on the table.

[Speaker pro tem. in the chair.]

GENERAL FILE.

On motion of Mr. Rogers, the rules were suspended to take up Senate Bill No. 355—An Act for the endowment of the University of California.

Amendments to sections two and four adopted.

Mr. Henley of Sonoma offered an amendment, by reducing every appropriation and sum of money mentioned in the bill fifty per cent.

Pending the consideration of the bill, the following message was received from the Senate :

SENATE CHAMBER,
March 29th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, adopted Senate Concurrent Resolution No. 63—Relative to lowering flag on the dome of the State Capitol to half-mast in honor of the memory of Major-General George H. Thomas, deceased.

ROBERTS,
Secretary.

Senate Concurrent Resolution No. 63, above reported, was adopted unanimously.

Senate Bill No. 355 resumed.

Mr. Rogers moved the previous question.

On which the ayes and noes were demanded by Messrs. Henley of Sonoma, Oates and Munday, and the main question was ordered, by the following vote :

AYES—Messrs. Andrews, Brown of Amador, Calderwood, Carothers, De Haven, Duffy, Eichelroth, Escandon, Finney, Fortune, Gildea, Green, Haile, G. R. B. Hayes, M. Hayes, Hihn, Horan, Inman, Johnson, King, Lewelling, McClaskey, McMillan, Merritt, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Newell, Power, Rockwell, Romer, Ryan, Shoemaker, Shores, Thomas, Waldron, Williams, York and Mr. Speaker—38

NOES—Messrs. Appling, Berry, Biggs, Brown of Yuba, Freeman, Fryer, Griswold, Hawley, Henley of Mendocino, Henley of Sonoma, Hubner,

Hudson, Kelley, Koutz, Martin of Butte, McMurry of Trinity, Miller of El Dorado, Mooney, Munday, Murphy of Santa Clara, Oates, O Connell, Odell, Pool, Sammons, Satterwhite, Scarce, Slicer, Stephens, Thurston and Young—31.

On the amendment offered by Mr. Henley of Sonoma, the ayes and noes were demanded by Messrs. Henley of Sonoma, Martin of Butte and Ryan, and the House refused to adopt the same, by the following vote:

AYES—Messrs. Appling, Berry, Biggs, Brown of Yuba, Freeman, Fryer, Hawley, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, Kelley, Koutz, Martin of Butte, Merritt, Miller of El Dorado, Munday, Newell, Oates, Odell, Pool, Sammons, Scarce, Slicer, Stephens, Thurston and Waldron—27.

NOES—Messrs. Andrews, Brown of Amador, Calderwood, Carothers, Crigler, De Haven, Duffy, Eichelroth, Escandon, Finney, Fortune, Gildea, Green, Griswold, Haile, G. R. B. Hayes, M. Hayes, Hihn, Inman, Johnson, King, Lambert, Lewelling, McClaskey, McMillan, McMurry of Trinity, Mooney, Moynihan, Murphy of Santa Clara, Naphtaly, O'Connell, Power, Rockwell, Romer, Ryan, Satterwhite, Shoemaker, Shores, Thomas, Williams, York, Young and Mr. Speaker—43.

Read a third time and passed; title approved.

Mr. Henley of Sonoma gave notice that on to-morrow he would move to reconsider the vote by which the bill passed

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

SPECIAL ORDER.

The special order for Tuesday, March twenty-ninth, at half-past one o'clock P. M., Assembly Bill No. 395—An Act concerning revenue—was taken up.

Amended and amendments adopted.

Mr. Murphy of Santa Clara moved to indefinitely postpone the bill.

Mr. Fortune offered an amendment.

Mr. G. R. B. Hayes moved the previous question

Sustained.

The amendment of Mr. Fortune was lost.

On the motion to indefinitely postpone, the ayes and noes were demanded by Messrs. Haile, Andrews, and Murphy of Santa Clara, and the House refused, by the following vote:

AYES—Messrs. Carothers, Fortune, Gildea, Haile, G. R. B. Hayes, Hihn, Merritt, Moynihan, Murphy of Santa Clara and Waldron—10.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Yuba, Calderwood, De Haven, Doss, Duffy, Eichelroth, Escandon, Freeman, Fryer, Green, Griswold, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Johnson, King, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of

El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Thurston, Walden, Williams, York, Young and Mr Speaker—60.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Gildea gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

Mr. Rockwell moved to suspend the rules, to take up Assembly Bill No 484

Lost

Mr. McClaskey, by leave, introduced a bill for an Act to create a Board of Education for the City of Marysville.

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

Mr. Miller of Marin was granted leave of absence for one day.

REPORTS.

Mr. Ryan, from the Committee on Enrolment, made the following reports:

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 713—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 688—An Act relative to Sheriff's fees in the County of Alameda

And this day, at two o'clock P. M., presented the same to the Governor for his approval

RYAN, Chairman.

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 591—An Act to incorporate the Town of Hornitas.

Also, Assembly Bill No. 487—An Act to aid in the construction of a wagon road from Round Valley, in Mendocino County, to Hydesville, in Humboldt County.

Also, Assembly Bill No. 546—An Act for assessing and collecting revenue in the Town of San Buenaventura, and approving all ordinances and proceedings of the Town Trustees

Also, Assembly Bill No. 317—An Act to authorize the Board of Supervisors of the County of Sutter to enter upon, condemn and take possession of a certain tract of land in said county, to be used as a public graveyard

Also, Assembly Bill No. 411—An Act to alter and the better to define the corporate limits of the Town of Santa Rosa, in the County of Sonoma

Also, Assembly Bill No 218—An Act to amend an Act entitled an Act to authorize the formation of corporations to provide the members thereof with homesteads and lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 455—An Act to provide for the locating and laying out of a public road from Russian River, in Sonoma County, to the Gualala River, in Sonoma County.

Also, Assembly Bill No. 412—An Act entitled an Act to authorize the Mayor and Common Council of the City of Stockton, in the County of San Joaquin, to donate one hundred thousand dollars to the Stockton and Copperopolis Railroad Company, and to provide for the payment of the same, and other matters relating thereto.

And this day, at twelve o'clock and thirty minutes, presented the same to the Governor for his approval.

RYAN, Chairman.

Mr. Green, from the Committee on Enrolment, made a report, as follows:

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 144—An Act to locate the county seat for the County of Lake.

Also, Assembly Bill No. 49—An Act to grant the right to convey water in pipes to supply the inhabitants of the Town of Oroville.

Also, Assembly Bill No. 365—An Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two.

Also, Assembly Bill No. 356—An Act for the relief of W. R. Crawford.

Also, Assembly Bill No. 353—An Act granting certain privileges to the Potrero and Bay View Railroad Company.

Also, Assembly Bill No. 561—An Act to increase the number of Notaries Public in Monterey County.

And this day, at eleven o'clock A. M., presented the same to the Governor for his approval.

GREEN, for Committee

Mr. G. R. B. Hayes, from the Committee on Military Affairs, made the following report:

MR. SPEAKER: The Committee on Military Affairs, to whom was referred Assembly Bill No. 538—An Act to provide for the payment of claims for allowance for certain companies of the militia of this State; and also, Assembly Bill No. 504—An Act defining and limiting the time for the payment of bounties and relief pay due the volunteers of the State of California and troops furnished the United States as a portion of its quota—have had the same under consideration, and herewith report the same back and recommend that they be indefinitely postponed.

They have also had under consideration Senate Bill No. 628—An Act to amend an Act entitled an Act concerning the military of the State of California—report the same back and recommend its indefinite postponement.

G. R. B. HAYES, Chairman.

GENERAL FILE.

Senate Bill No. 597—An Act to prevent double taxation

Mr. Biggs offered an amendment, as follows: Amend by adding a new section, that every person shall be required to make a sworn statement

in giving in his or her property, and strike a balance sheet, and shall only be assessed on what he or she is actually worth; and any one swearing falsely shall be guilty of perjury, and on conviction shall be imprisoned in the State Prison not more than two years or less than six months.

At three o'clock P. M., the special order set for that hour, Assembly Bill No. 681, was, on motion of Mr. Naphtaly, postponed to two o'clock P. M. to-morrow.

Mr. Gildea moved to suspend the five minute rule.

Lost.

Mr. Andrews moved to indefinitely postpone the bill.

Mr. McMillan moved the previous question.

Sustained.

Mr. Biggs, by leave, withdrew his amendment.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded by Messrs. Romer, Naphtaly and G. R. B. Hayes, and the House refused, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Crigler, De Haven, Fryer, Gildea, Haile, Hudson, Inman, Kelley, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Munday, Newell, Odell, Power, Sammons, Scarce, Thomas, Waldron and York—32.

NOES—Messrs. Blankenship, Carothers, Eichelroth, Finney, Fortune, Freeman, Green, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Johnson, King, McClaskey, McMillan, Merritt, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Pool, Robinson, Romer, Ryan, Satterwhite, Shoemaker, Shores, Stephens, Thurston, Williams, Young and Mr. Speaker—38.

Read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Mooney, Naphtaly and Moynihan, and it passed, by the following vote:

AYES—Messrs. Biggs, Brown of Yuba, Carothers, Doss, Duffy, Eichelroth, Finney, Fortune, Freeman, Fryer, Gildea, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Johnson, King, McMillan, Merritt, Mooney, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Pool, Robinson, Romer, Ryan, Satterwhite, Shoemaker, Shores, Slicer, Stephens, Thomas, Williams, Young and Mr. Speaker—44.

NOES—Messrs. Andrews, Appling, Berry, Blankenship, Brown of Amador, Calderwood, Crigler, De Haven, Green, Haile, Hudson, Inman, Kelley, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Munday, Newell, Odell, Power, Sammons, Scarce, Thurston, Waldron and York—29.

Title approved.

Messrs. Mooney and Biggs gave notice that on to-morrow they would move to reconsider the vote by which the bill passed.

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

EVENING SESSION.

At seven o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

On motion of Mr. Andrews, the rules were suspended to take from the general file Senate Bill No. 644—An Act to provide for the payment of the salaries of certain officers in the County of Shasta.

Read a third time and passed; title approved.

Mr. McClaskey, from the Yuba delegation, by leave, made the following report:

MR. SPEAKER: The Yuba delegation, to whom was referred Assembly Bill No. 723—An Act to create a Board of Education for the City of Marysville—have had the same under consideration, and report the same back and respectfully recommend the passage of the bill.

McCLASKEY, for Delegation

On motion of Mr. McClaskey, the rules were suspended to take up the above reported bill.

Rules further suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Slicer, by leave, offered the following resolution:

Resolved, That the Santa Clara delegation be and they are hereby instructed to report back to-morrow Senate Bill No. 625—An Act to authorize the Board of Supervisors of Santa Clara County to issue bonds to aid in the construction of a Normal School building.

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

Lost.

When the resolution was adopted.

Mr. King was allowed to withdraw Assembly Bill No. 270.

SPECIAL FILE.

Senate Bill No. 300—An Act providing for the appointment of additional Notaries Public in Sacramento County.

Amendments adopted.

Read a third time and passed; title approved.

Assembly Bill No. 453—An Act supplementary to an Act to provide for the appointment of Notaries Public and defining their duties.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Fortune, by leave, made the following report:

MR. SPEAKER: The San Francisco, Napa and Yolo delegations, to whom was referred Assembly Bill No. 565, have had the same under

consideration, and report the same back with amendments and recommend its passage.

RYAN,
FORTUNE,
NAPHTALY,
ROCKWELL,
ROMER,
O'CONNELL,
CRIGLER,
KELLEY.

Mr Fortune moved to suspend the rules, to take up the above reported bill.

Lost.

Assembly Bill No 554—An Act concerning lawful fences in the County of Sutter

Amended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 473, withdrawn by its author.

Assembly Bill No 550, passed on file.

Assembly Bill No. 426, passed on file.

Assembly Bill No 656—An Act authorizing the Board of Supervisors of the City and County of San Francisco to furnish gratuitously all necessary text books and stationery for the use of the pupils in the public schools in said city and county, and to equalize the salaries of the male and female teachers in said schools.

Amended

Rules suspended, bill considered engrossed, read a third time and passed; title amended.

Mr. Martin of Butte, in accordance with previous notice, moved to reconsider the vote by which Senate Bill No. 85 passed on yesterday.

Mr. G. R. B. Hayes moved to indefinitely postpone the motion to reconsider.

Lost.

When the vote was reconsidered and the bill referred to the San Francisco delegation, with instructions to report on Thursday.

Mr. Finney, from the Committee on Engrossment, made the following report:

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 395—An Act concerning revenue.

Also, substitute for Assembly Bill No. 373—An Act to amend an Act entitled an Act to amend an Act entitled an Act amendatory of article fourth of an Act entitled an Act to repeal the several charters of the City and County of San Francisco, to establish the boundaries of the City and County of San Francisco and to consolidate the government thereof, approved April fourteenth, A. D. eighteen hundred and fifty-six, repealing sections thirty-six to seventy-four, inclusive, and Acts and parts of Acts amendatory of and supplementary thereto, and substituting this Act for said article four, approved April twenty-fifth, eighteen hundred and sixty-two.

Also, Assembly Bill No. 100—An Act granting to E. A. Mason and his

assigns the right to construct and maintain a weir, or fish trap, in the Straits of Carquinez in the County of Contra Costa.

Also, Assembly Bill No. 416—An Act declaring Bull Creek navigable.

Also, Assembly Bill No. 621—An Act to amend an Act entitled an Act in relation to public roads in the County of Amador, and to the Road Fund of said county.

Also, Assembly Bill No. 606—An Act in relation to sales and conveyances made by the Pacific Savings and Homestead Association.

Also, Assembly Bill No. 458—An Act to declare Old San Joaquin River and Indian or Pescadero Slough a navigable stream.

Also, substitute for Assembly Bill No. 122—An Act to amend an Act entitled an Act defining the legal distances from each county seat to the Capital, Lunatic Asylum and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

FINNEY, for Committee.

Assembly Bill No. 625—An Act for the relief of Marcus Harloe.

Amended and amendments adopted.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 632—An Act entitled an Act to amend an Act entitled an Act authorizing Robert Betge and others to lay down and maintain a railroad in the City and County of San Francisco

Mr. Martin of Butte moved to strike out "twenty-five years" and insert "fifteen years."

Lost

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 649—An Act to authorize and require the Board of Supervisors of Yolo County to approve and certify certain claims against Swamp Land District Number Eighteen

Mr. Berry offered a substitute.

Adopted.

Mr. Haile moved to indefinitely postpone the bill.

Lost.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 666—An Act for the relief of D. O. Mahoney and Phil. E. Drescher.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No. 540—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade certain streets in said city and county and to condemn private property for the roadway of said streets.

Amendments adopted.

Mr. O'Connell moved to refer the bill to the San Francisco delegation.

Lost.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Gildea, by leave, withdrew the notice given by him to move a reconsideration of the vote by which Assembly Bill No. 395 passed.

Assembly Bill No. 687—An Act to amend an Act concerning roads and highways in Santa Clara County.

Indefinitely postponed.

Mr. Duffy moved to suspend the rules, to take up Assembly Concurrent Resolution No. 58.

On which the ayes and noes were demanded by Messrs. Murphy of Del Norte, McMillan and Haile, and the motion prevailed, by the following vote:

AYES—Messrs. Appling, Biggs, Duffy, Freeman, Green, Hawley, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, Inman, Johnson, Kelley, King, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, Miller of El Dorado, Mooney, Moynihan, Naphtaly, O'Connell, Pool, Power, Romer, Ryan, Satterwhite, Scarce, Slicer, Thurston, Walden, Waldron, Williams, York and Young—37.

NOES—Messrs. Andrews, Crigler, Haile, McMurry of Trinity, and Odell—5.

Assembly Concurrent Resolution No. 58—Relative to the loss of the United States steamer Onaida.

Bill read a third time.

On the passage of the resolution, the ayes and noes were demanded by Messrs. Duffy, Waldron and Calderwood, and it passed, by the following vote:

AYES—Messrs. Appling, Biggs, Blankenship, Brown of Yuba, Carothers, Duffy, Eichelroth, Finney, Gildea, Green, M. Hayes, Horan, Hubner, Johnson, Koutz, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, Miller of El Dorado, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Newell, O'Connell, Pool, Power, Romer, Ryan, Satterwhite, Scarce, Shoemaker, Slicer, Stephens, Walden, Waldron, Williams, York and Mr. Speaker—41

NOES—Messrs. Andrews, Berry, Crigler, Haile, Henley of Mendocino, Henley of Sonoma, Hudson, Inman, Kelley, King, McMurry of Trinity, Merritt, Mooney, Oates, Odell, Robinson, Thomas, Thurston and Young—19.

Mr. Haile moved to suspend the rules, to take up Senate messages.

Lost.

INTRODUCTION OF BILLS.

Bills were introduced, by leave, as follows:

By Mr. Satterwhite—An Act to authorize the Board of Tide Land Commissioners to sell certain tide lands.

Read first and second times and referred to the Committee on Commerce and Navigation

By Mr. Horan—An Act to aid and support the State Labor Exchange, at Sacramento.

Read first and second times and ordered to the top of the special file for to-morrow night.

By Mr. Merritt—An Act to confer additional power upon the Board of Supervisors of Yuba County

Read first and second times and referred to the Yuba delegation. *

By Mr. Power—An Act amendatory of an Act entitled an Act supplementary to and amendatory of an Act entitled an Act to authorize the County of Placer to subscribe to the capital stock of the Central Pacific Railroad Company of California and to provide for the payment of the

same, and other matters relating thereto, approved March thirty-first, eighteen hundred and sixty-six.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

By Mr. Shoemaker—An Act to amend section thirty-four of an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

By Mr. Appling—An Act to amend an Act entitled an Act declaring certain rivers and creeks navigable, passed February eighteenth, eighteen hundred and fifty-one

Read first and second times and referred to the Committee on Commerce and Navigation

By Mr. McMillan—An Act to establish and define the powers and duties of the Secretary of the Board of Education of the City and County of San Francisco.

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

By Mr. Carothers—An Act to further define the duties of District Attorney of the County of Contra Costa.

Read first and second times and ordered on the file.

SPECIAL FILE CONTINUED.

Assembly Bill No 539—An Act authorizing the City and County Surveyor of the City and County of San Francisco to locate and lay down the central macadamized toll road on the official map of the outside lands, and conferring certain powers on the Collector of said city and county.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

SENATE MESSAGES.

On motion of Mr. Haile, the rules were suspended, to take up the following Senate messages:

SENATE CHAMBER,
March 29th, 1870 }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Senate Bill No. 312—An Act to amend an Act entitled an Act to regulate the interest of money, approved March thirteenth, eighteen hundred and fifty, and the Act to amend the same, approved March thirtieth, eighteen hundred and sixty-eight.

Also, passed, under suspension of the rules, Senate Bill No 659—An Act to provide for the collection of taxes in the County of Tehama.

Also, passed Senate Bill No. 451—An Act authorizing the Controller of State to employ an additional Clerk

Also, Senate Concurrent Resolution No. 22—Relative to granting subsidies to establish mail route between San Francisco, California, and Melbourne, Australia.

And, on the twenty-fifth instant, passed, under suspension of the rules, Senate Bill No 555—An Act to authorize the Boards of Supervisors of the Counties of San Mateo and Santa Clara to donate certain railroad stocks to the Southern Pacific Railroad Company, to aid in the construction of the road of said company.

ROBERTS,
Secretary.

SENATE CHAMBER,
March 29th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on the eleventh day of March, passed Senate Bill No. 318—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

And, on March twenty-fifth, passed Senate Bill No. 651—An Act to provide the Institution for the Deaf, Dumb and Blind with a geological and mineral cabinet

And, on March twenty-sixth, passed substitute for Senate Bill No. 629—An Act to empower the County of Plumas to aid in the construction of the Marysville and Ogden Railroad Company

And, on March twenty-eighth, passed Senate Bill No. 489—An Act to authorize T. B. Lewis, his heirs or assigns, to institute proceedings to recover certain real estate of James M. Lewis, deceased, escheated to the State of California.

Also, Senate Bill No 546—An Act concerning the salaries of certain officers therein named.

Also, Senate Bill No. 505—An Act to regulate the rights of the owners of mines.

Also, Senate Bill No. 418—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, etc.

Also, Senate Bill No 650½—An Act for the protection of game imported into this State by the Ornithological and Piscatorial Acclimatizing Society of California.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 29th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on the twenty-eighth day of March, passed, under suspension of the rules, Senate Bill No. 486—An Act to pay for work done in the State Land Office.

MARDIS,
Assistant Secretary

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No 555, above reported, read first and second times and referred to the Santa Clara and San Mateo delegations.

Senate Bill No 486, above reported, read first and second times and referred to the Committee on Claims, to report the same to-morrow.

Senate Bill No 312, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Bill No 659, above reported, read first and second times and referred to the Tehama delegation

Senate Bill No 451, above reported, read first and second times and referred to the Committee on Contingent Expenses.

Senate Concurrent Resolution No 22, above reported, read first and second times and referred to the Committee on Federal Relations.

Senate Bill No 650, above reported, read first and second times and referred to the Committee on Agriculture.

Senate Bill No 418, above reported, read first and second times and referred to the Railroad Committee.

Senate Bill No. 505, above reported, read first and second times and referred to the Committee on Mines and Mining Interests.

Senate Bill No 546, above reported, read first and second times and ordered on the general file

Senate Bill No. 489, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 318, above reported, read first and second times and ordered third on special file for to-morrow

Senate Bill No 651, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands

Substitute for Senate Bill No 629, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved

SPECIAL FILE.

Assembly Bill No 354—An Act to authorize the Treasurer of the City and County of San Francisco to pay James F. Clark the sum of four hundred and eighty dollars.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

On motion of Mr. Crigler, the rules were suspended to take from the general file Senate Bill No. 531—An Act to provide for the government of the State Prison, and to authorize the Board of Directors to adopt the Irish system of discipline therein

Amendments adopted.

Read a third time and passed; title approved

On motion of Mr. Green, Assembly Bill No 668—An Act amendatory of an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, etc —was also taken from the general file.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bills Nos 605 and 503 were withdrawn by leave, on motion of Mr. Griswold.

Assembly Bill No. 617—An Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

At ten o'clock and ten minutes P. M., on motion of Mr. Haile, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, March 30th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present

Prayer by the Rev. Mr. Gober.

Journal of yesterday read and approved.

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

PETITIONS.

Mr. G. R. B. Hayes presented a petition in favor of the passage of an Act for the relief of the free schools of the Presentation Convent.

A bill was introduced by Mr. G. R. B. Hayes, by leave, for an Act for the relief of the free schools of the Presentation Convent of the City and County of San Francisco.

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

The speaker presented a petition from the House Carpenter's Eight Hour League of San Francisco, containing resolutions in reference to building a City Hall in said city.

Received and ordered on file.

REPORTS.

Mr. DOSS, from the Committee on Engrossment, made the following reports:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 628—An Act to repeal an Act entitled an Act creating the offices of Township Collectors and Assessors in the Counties of El Dorado and Amador.

Also, Assembly Bill No. 611—To authorize the Board of Supervisors of Mendocino County to levy an additional tax for the construction of a wagon road from Ukiah to Mendocino City, and to repair and improve the wagon road from Ukiah City to Cloverdale.

Also, Assembly Bill No. 544—An Act to authorize the establishment of a steam ferry between the Village of Tomales Bay and the opposite side of Tomales Bay, to Laird's Landing, in Marin County, and to construct wharves and docks for the same.

DOSS, for Committee.

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 634—An Act authorizing the County Treasurer of the County of Santa Clara to pay certain claims against said county.

Also, Assembly Concurrent Resolution No. 53—Authorizing the Controller of State to draw warrants on Contingent Fund of Senate and Assembly, in favor of Joseph Neumann.

Also, Assembly Bill No 476—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 578—An Act to authorize Thomas Brady, John McDermott, their associates and assigns, to lay down gas pipes in the Town of San Rafael.

DOSS, for Committee.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following reports :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 548—An Act to authorize the Saucelito Land and Ferry Company to establish and maintain a public ferry between Marin County and the City and County of San Francisco.

Also, Assembly Bill No. 588—An Act concerning roads and highways in the County of Lassen.

Also, Assembly Bill No. 524—An Act to authorize and empower the President and Trustees of the City of San Diego to donate lands to the San Diego and Los Angeles Railroad Company, to aid in construction of said railroad.

Also, Assembly Bill No. 679—An Act amendatory of and supplemental to an Act to authorize the establishment of a Board of Health in the City of Sacramento, approved March twenty-seventh, eighteen hundred and sixty-eight.

And this day, at one o'clock and ten minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No 344—An Act to provide for the manner of auditing claims against Humboldt County and to provide for the reduction of taxation therein and expenses thereof.

Also, substitute for Assembly Bill No. 444—An Act to authorize the issue of bonds by the County of San Diego to erect county buildings.

Also, substitute for Assembly Bill No. 468—An Act to authorize and empower Geo. F. Nourse, of the Town of Chico and County of Butte, his associates and assigns, to build and run a street railroad from Chico Landing, on the Sacramento River, to the Town of Chico, Chico Township, County of Butte, and for branch lines thereto.

Also, substitute for Assembly Bill No. 256—An Act to authorize the Board of Supervisors of the County of San Joaquin to donate one hundred thousand dollars to the Stockton and Copperopolis Railroad Company and to provide for the payment of the same, and other matters relating thereto.

And this day, at three o'clock and fifty minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. Rockwell, from the Committee on Commerce and Navigation, made the following report :

MR. SPEAKER: The Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 725—An Act to authorize the Board of Tide Land Commissioners to sell certain tide lands—have had the same under consideration and recommend its passage

ROCKWELL, Chairman.

On motion of Mr. Rockwell, the rules were suspended and the above reported bill taken up.

Mr. Eichelroth moved the previous question.

Sustained.

Rules further suspended, bill considered engrossed, read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Moynihan, Crigler and Haile. and it passed, by the following vote:

AYES—Messrs. Appling, Blankenship, Calderwood, Doss, Eichelroth, Escandon, Fryer, Green, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Johnson, King, Lambert, Martin of Butte, McClaskey, McMurry of El Dorado, Merritt, Miller of El Dorado, Mooney, Moynihan, Munday, Naphtaly, Newell, Oates, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Scarce, Shoemaker, Shores, Stephens, Thurston, Williams and York—43.

NOES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Brown of Yuba, Coronel, Crigler, De Haven, Duffy, Finney, Fortune, Haile, Hubner, Inman, Martin of Siskiyou, McMillan, McMurry of Trinity, O'Connell, Power, Sammons, Slicer and Wadron—22.

Title approved.

Mr. Lambert, Chairman of the Committee on Ways and Means, made a report upon the subject of fixing the rate of taxation for the twenty-second and twenty-third fiscal years, reporting a bill having that end in view, recommending its passage.

[For report, see Appendix]

The bill above reported was taken up, under a suspension of the rules—An Act to fix the rate of taxation for State purposes.

Read first and second times, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

Rule thirty-two suspended, and the bill ordered transmitted to the Senate.

Mr. Horan, from the Committee on Claims, made the following report:

MR. SPEAKER: The Committee on Claims, to whom was referred Senate Bill No. 486—An Act to pay for work in the State Land Office—have had the same under consideration, report it back and recommend its passage

HORAN, Chairman.

On motion of Mr. Horan, the rules were suspended and the above reported bill taken up.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back, passage recommended.

Read a third time and passed; title approved.

[Mr. Henley of Sonoma in the chair.]

On motion of Mr Gildea, the rules were suspended to take up Assembly Bill No 299—An Act amendatory of and supplementary to an Act entitled an Act relating to fire and marine insurance companies, approved April second, eighteen hundred and sixty-six.

Rules further suspended, bill considered engrossed, read a third time

On the passage of the bill, the ayes and noes were demanded by Messrs Duffy, Satterwhite and Oates, and it passed, by the following vote :

AYES—Messrs. Andrews, Appling, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Crigler, Eichelroth, Escandon, Finney, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hubner, Inman, Johnson, King, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, Oates, O'Connell, Odell, Pool, Power, Rockwell, Romer, Ryan, Sammons, Satterwhite, Scarce, Shores, Thurston, Williams, York, Young and Mr. Speaker—58.

NOES—Messrs. Biggs, De Haven, Duffy, Hihn, Walden and Waldron—6

Title approved.

Rule thirty-two suspended and the bill ordered to the Senate

Mr. Mooney, in accordance with previous notice, moved to reconsider the vote by which Senate Bill No. 597 passed on yesterday.

Mr Naphtaly moved to indefinitely postpone the motion to reconsider.

Mr. G. R. B. Hayes moved the previous question

On which the ayes and noes were demanded by Messrs Duffy, Biggs and Andrews, and the House refused to order the main question, by the following vote :

AYES—Messrs. Carothers, Coronel, De Haven, Eichelroth, Escandon, Fortune, Gildea, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Johnson, King, McClaskey, McMillan, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Newell, O'Connell, Odell, Pool, Rockwell, Romer, Ryan, Stephens, Walden, Williams, Young and Mr. Speaker—33.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Crigler, Duffy, Finney, Freeman, Fryer, Green, Haile, Hubner, Hudson, Inman, Kelley, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Munday, Oates, Power, Robinson, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Thurston and Waldron—39.

A petition in reference to the bill, numerously signed by persons in San Francisco, was presented by Mr. M. Hayes.

Received and read.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called

Quorum present.

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

On motion of Mr. G. R. B. Hayes, Assembly Bill No. 563, being the special order for two o'clock P. M., was postponed, to resume consideration of Senate Bill No. 597.

The question being on indefinitely postponing the motion to reconsider the vote, the ayes and noes were demanded by Messrs. M. Hayes, Naphtaly and Romer, and the House refused, by the following vote:

AYES—Messrs. Carothers, Coronel, Eichelroth, Escandon, Fortune, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Hihn, Horan, Johnson, King, McClaskey, McMillan, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, O'Connell, Odell, Pool, Rockwell, Romer, Ryan, Stephens, Walden, Williams and Mr. Speaker—31.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Yuba, Calderwood, Crigler, De Haven, Doss, Fryer, Gildea, Green, Haile, Henley of Sonoma, Hudson, Inman, Kelley, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Munday, Oates, Power, Robinson, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Thomas, Thurston and Waldron—39.

When the vote by which the bill passed was reconsidered.

Mr. Henley of Sonoma offered an amendment.

Mr. M. Hayes offered an amendment to the amendment.

Lost

The amendment of Mr. Henley of Sonoma was adopted.

Mr. Martin of Butte offered an amendment

Mr. Duffy moved the previous question.

Sustained.

On the amendment offered by Mr. Martin of Butte, the ayes and noes were demanded, and it was lost, by the following vote:

AYES—Messrs. Andrews, Biggs, Brown of Yuba, Crigler, Freeman, Haile, Horan, Inman, Kelley, Koutz, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, Miller of El Dorado, Robinson, Stephens and Waldron—17

NOES—Messrs. Appling, Calderwood, Carothers, Coronel, De Haven, Doss, Duffy, Eichelroth, Escandon, Finney, Fortune, Fryer, Gildea, Green, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, Johnson, King, Lambert, McClaskey, McMillan, McMurry of Trinity, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Power, Romer, Ryan, Sammons, Satterwhite, Scarce, Shoemaker, Shores, Thomas, Thurston, Walden, Williams and Mr. Speaker—52

On the passage of the bill, the ayes and noes were demanded by Messrs. Berry, Hihn and G. R. B. Hayes, and it passed, by the following vote:

AYES—Messrs. Appling, Carothers, Coronel, Doss, Duffy, Eichelroth, Escandon, Finney, Fortune, Freeman, Fryer, Gildea, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Johnson, King, McClaskey, McMillan, Merritt, Miller of Marin,

Mooney, Moynihan, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Romer, Ryan, Shoemaker, Slicer, Walden, Williams and Mr. Speaker—41.

NOES—Messrs Andrews, Berry, Biggs, Brown of Yuba, Calderwood, Crigler, De Haven, Green, Haile, Horan, Hudson, Inman, Kelley, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Munday, Murphy of Del Norte and Klamath, Power, Robinson, Sammons, Satterwhite, Scarce, Shores, Stephens, Thomas, Thurston and Waldron—32.

Title approved.

REPORTS.

Mr. Naphtaly, Chairman of the Judiciary Committee, verbally reported back Senate Bill No. 489, recommending its passage.

On motion of Mr. Duffy, the rules were suspended to take up the above reported bill.

Read a third time and passed; title approved.

At two o'clock and thirty minutes P. M. a message was received from the Governor, returning without his approval Assembly Bill No. 374—An Act to encourage iron mining.

Mr. Berry, from the Committee on Engrossment, made the following reports:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 612—An Act to provide for the construction of a Hall of Records at the county seat of the County of Sonoma, to authorize the Board of Supervisors to issue the bonds of the county therefor and to provide for the payment of the same.

Also, Assembly Bill No. 617—An Act to authorize the Board of Supervisors of the City and County of San Francisco to pay certain claims.

Also, Assembly Bill No. 722—An Act to create a Board of Commissioners for the port of Eureka, on Humboldt Bay, and to prescribe their powers and duties.

Also, Assembly Bill No. 729—An Act to amend section thirty-four of an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six.

Also, substitute for Assembly Bill No. 649—An Act to authorize and require the Board of Supervisors of Yolo County to approve and certify certain claims against Swamp Land District Number Eighteen.

Also, Assembly Bill No. 625—An Act for the relief of Marcus Harloe.

Also, Assembly Bill No. 666—An Act for the relief of D. O. Mahoney and Phil E. Drescher.

Also, Assembly Bill No. 359—An Act authorizing the City and County Surveyor of the City and County of San Francisco to locate and lay down the central macadamized toll road on the official map of outside lands, and conferring certain powers on the Tax Collector of said city and county.

Also, Assembly Bill No. 632—An Act entitled an Act to amend an Act entitled an Act authorizing Robert Betge and others to lay down and maintain a railroad in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 668—An Act amendatory of an Act entitled an Act to provide for the appointment and prescribe the duties of

guardians, passed April nineteenth, eighteen hundred and fifty, and to amend an Act entitled an Act to amend an Act to provide for the appointment and prescribe the duties of guardian, passed April nineteenth, eighteen hundred and fifty, approved May twentieth, eighteen hundred and sixty-one.

Also, Assembly Bill No 656—An Act requiring the Board of Education of the City and County of San Francisco to equalize the salaries of the male and female teachers in said schools.

BERRY, for Committee.

Mr SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 725—An Act to authorize the Board of Tide Land Commissioners to sell certain tide lands

Also, substitute for Assembly Bill No 658—An Act to establish, in the City and County of San Francisco, a Labor and Employment Exchange, and to provide for its government and support.

BERRY, for Committee.

Mr. Escandon, from the Santa Barbara delegation, made the following reports:

Mr SPEAKER: The Santa Barbara delegation, to whom was referred Senate Bill No. 590, have had the same under consideration and respectfully report the same back and recommend that it pass.

ESCANDON, for Delegation

Mr. SPEAKER: The delegation to whom was referred Senate Bill No 128—An Act to legalize and confirm certain grants and sales of town lands by the Board of Trustees of the Town of Santa Barbara, and by the Mayor and Common Council of the City of Santa Barbara, made since the passage of the Act of March thirty-first, eighteen hundred and sixty-six—has considered the same, and report it back, together with an amendment, and recommend its passage as amended

ESCANDON, for Delegation.

Senate Bills Nos. 128 and 590, above reported, were taken up.

Read a third time and passed; titles approved.

Mr. King, from the Committee on Corporations, made the following report:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 554—An Act to extend the time allowed to the Southern Pacific Railroad Company and the Western Pacific Railroad Company in which to make the terminus of their roads upon certain lands donated to them by the State for that purpose, in the City and County of San Francisco—have considered the same, and report the bill back and recommend its passage.

KING, Chairman

Mr Kelley, from the Committee on Agriculture, made the following report:

Mr. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 650—An Act for the protection of game imported into this State by the Ornithological and Piscatorial Acclimatizing Society of California—have had the same under consideration, and report it back and recommend its passage.

KELLEY, Chairman.

Mr. McMurry of Trinity, from the Committee on Contingent Expenses, made the following report:

Mr. SPEAKER: Your Committee on Contingent Expenses, to whom was referred several resolutions allowing attachés of the House additional pay, have had the same under consideration, and herewith report the same back and recommend that they do not pass, for the reason that said attachés knew the per diem when they accepted their several positions, and received sufficient reward in being appointed in preference to many other applicants for the same positions.

McMURRY (of Trinity), Chairman.

Mr. Slicer, from the Committee on Education, made the following report:

Mr. SPEAKER: The Committee on Education, to whom was referred Assembly Bill No. 730—An Act to establish and define the powers and duties of the Secretary of the Board of Education of the City and County of San Francisco—have considered the same, report it back and recommend its passage.

SLICER, Chairman.

Mr. Newell, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 727—An Act amendatory of an Act supplementary to and amendatory of an Act entitled an Act to authorize the County of Placer to subscribe to the capital stock of the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto, approved March thirty-first, eighteen hundred and sixty-six.

NEWELL, for Committee.

Mr. Satterwhite verbally reported back Senate Bill No. 211, recommending the passage of the same.

Mr. G. R. B. Hayes, from the Committee on Military Affairs, made the following report:

Mr. SPEAKER: Your Committee on Military Affairs have had under consideration Assembly Bill No. 691—An Act to appropriate funds to provide for the equipment of the National Guard—and herewith report the same back, a majority of your committee recommending the indefinite postponement of the bill, and a minority thereof recommending its passage.

G. R. B. HAYES, Chairman.

Mr. Blankenship, from the Committee on Engrossment, made the following report :

Mr SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 453—An Act supplementary to an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two

Also, Assembly Concurrent Resolution No. 58—Relative to the loss of the United States Steamer Oneida.

Also, Assembly Bill No. 354—An Act to authorize the Treasurer of the City and County of San Francisco to pay James H. Clarke the sum of four hundred and eighty dollars

BLANKENSHIP, for Committee.

Mr. Moynihan gave notice that on to-morrow he would move to reconsider the vote by which Assembly Bill No. 725 passed

Mr. McClaskey, from the Committee on Swamp and Overflowed Lands, made the following report :

Mr. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 651—An Act to provide the Institution for the Deaf, Dumb and Blind with a geological and mineral cabinet—have had the same under consideration, and respectfully report the same back and recommend its passage.

McCLASKEY, Chairman.

Mr. Mooney, from the Committee on Counties and County Boundaries, made the following report :

Mr SPEAKER: The undersigned, of the Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 639—An Act to create the County of Oristimbo and define its boundaries—beg leave to make a minority report thereto, and hereby recommend the passage of the said bill.

FRYER,
MOONEY.

The above reported bill was ordered fourth on the special file for to-night.

Mr. Murphy of Santa Clara, from the Santa Clara delegation, made the following reports :

Mr. SPEAKER: The majority of the Santa Clara delegation, having had Senate Bill No. 625—An Act to authorize the Board of Supervisors of Santa Clara County to issue bonds and apply the proceeds thereof to the purchasing of school and other furniture for the State Normal School—under consideration, recommend its indefinite postponement.

MURPHY,
THOMAS.

Mr. SPEAKER: The minority of the Santa Clara delegation have had the same bill under consideration, and recommend its passage.

SHOEMAKER.

Mr. Scarce made a report, as follows:

MR. SPEAKER: The delegations of the Counties of Yolo, Colusa and Tehama, to whom were referred Senate Bills Nos 559 and 538, have had the same under consideration and have amended them, and report them back and recommend their passage as amended.

SCARCE,
KELLEY,
For Delegations.

Mr. Fryer, from the Los Angeles delegation, made the following report:

MR. SPEAKER: The Los Angeles delegation, to whom was referred Senate Bill No. 452, have had the same under consideration, and hereby beg leave to report the same back and recommend its passage.

FRYER,
CORONEL

Mr. Waldron, from the Placer delegation, made the following report:

MR. SPEAKER: The Placer delegation, to whom was referred Senate Bill No. 641, have had the same under consideration, and report the same back and recommend its passage

WALDRON, for Delegation.

The above bill was ordered fifth on the special file for to-night.

Mr. Freeman, from the Sacramento delegation, made a report as follows:

MR. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 721—An Act entitled an Act to amend an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six, approved March twenty-eighth, eighteen hundred and sixty-eight—have had the same under consideration, and respectfully beg leave to report the same back and recommend its passage.

FREEMAN, for Delegation.

INTRODUCTION OF BILLS.

Bills were introduced, by consent, as follows:

By Mr G. R. B. Hayes—An Act to submit to the qualified electors of the City and County of San Francisco a proposition to remit the city and county's portion of all taxes on moneys received by savings institutions, banks and loan societies, secured by mortgages.

Read first and second times and ordered on file

By Mr. Newell—An Act to amend an Act entitled an Act regulating fees and salaries of officers and defining their duties in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and ordered on special file for to-night

SPECIAL ORDERS.

The special order set for twelve o'clock M and postponed, Assembly Bill No. 563—An Act in relation to libels—was now taken up

Mr Satterwhite moved to indefinitely postpone the bill

Mr. Henley of Sonoma moved the previous question

On which the ayes and noes were demanded by Messrs. G. R. B. Hayes, Henley of Sonoma and Hudson, and the main question was ordered, by the following vote :

AYES—Messrs. Berry, Biggs, Brown of Amador, Brown of Yuba, Coronel, Crigler, Fortune, Fryer, Haile, Henley of Sonoma, Hudson, King, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, Merritt, Miller of Marin, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Robinson, Scarce, Shores, Slicer, Thomas, Thurston, Walden, Waldron and Williams—34.

NOES—Messrs. Andrews, Blankenship, Carothers, Doss, Duffy, Finney, Griswold, Hihn, Horan, Hubner, Miller of El Dorado, Moynihan, Murphy of Santa Clara, Naphtaly, O'Connell, Pool, Power, Rockwell, Romer, Ryan, Satterwhite, Stephens, York and Mr. Speaker—24.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded by Messrs. Naphtaly, Henley of Sonoma and Doss, and the motion was lost, by the following vote :

AYES—Messrs. Berry, Biggs, Brown of Amador, Brown of Yuba, Coronel, Fortune, Fryer, Gildea, Haile, Henley of Mendocino, Henley of Sonoma, King, Koutz, Lambert, Martin of Butte, McClaskey, McMurry of El Dorado, McMurry of Trinity, Mooney, Munday, Murphy of Del Norte and Klamath, Pool, Robinson, Satterwhite, Shoemaker, Slicer, Thomas, Thurston and Williams—29.

NOES—Messrs. Andrews, Appling, Blankenship, Carothers, Crigler, Doss, Duffy, Finney, G. R. B. Hayes, Hihn, Horan, Hubner, Inman, Kelley, Lewelling, Martin of Siskiyou, Merritt, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphtaly, Newell, O'Connell, Power, Rockwell, Ryan, Scarce, Shores, Stephens, Walden, Waldron, York and Mr. Speaker—34.

On the engrossment of the bill, the ayes and noes were demanded by Messrs. Naphtaly, Berry and G. R. B. Hayes, and the House refused, by the following vote :

AYES—Messrs. Duffy, Finney, Fortune, Gildea, Griswold, G. R. B. Hayes, Hihn, Hubner, Koutz, Martin of Siskiyou, Merritt, Moynihan, Murphy of Santa Clara, Naphtaly, Newell, O'Connell, Power, Rockwell, Shoemaker, Shores, Stephens, Walden, Waldron and Mr. Speaker—24

NOES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Amador, Brown of Yuba, Carothers, Coronel, Crigler, Doss, Eichelroth, Fryer, Haile, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Inman, Kelley, King, Lambert, Lewelling, Martin of Butte, McClaskey, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Mooney, Munday, Murphy of Del Norte and Klamath, Pool, Robinson, Romer, Satterwhite, Scarce, Slicer, Thomas, Thurston and Williams—10

Assembly Bill No. 681—An Act to provide for the improvement of a certain part of the City and County of San Francisco.

Substitute for the bill.

Amended and amendments adopted.

Mr. Hihn offered an amendment as follows: Amend section eight by striking out all from and including the word "provided," in twentieth line, to and including the word "value," in twenty-third line.

On which the ayes and noes were demanded by Messrs. Hihn, Berry and Moynihan, and it was lost, by the following vote:

AYES—Messrs Andrews, Berry, Biggs, Crigler, Duffy, Hihn, Koutz, Martin of Siskiyou, McMillan, Miller of El Dorado, Miller of Marin, Murphy of Santa Clara, O'Connell, Robinson, Ryan, Shoemaker, Slicer and Waldron—18.

NOES—Messrs Brown of Amador, Brown of Yuba, Coronel, Eichelroth, Fryer, Griswold, Haile, Hawley, M. Hayes, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Johnson, King, Lambert, Martin of Butte, McClaskey, Merritt, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Newell, Oates, Pool, Rockwell, Romer, Satterwhite, Scarce, Shores, Stephens, Thurston, Walden, Williams and Mr. Speaker—37.

Amended

Substitute adopted

Rules suspended, bill considered engrossed.

Mr. McMillan moved to indefinitely postpone the bill.

Lost.

Read a third time.

On the passage of the bill, the ayes and noes were demanded by the requisite number, and it passed, by the following vote:

AYES—Messrs Blankenship, Brown of Amador, Brown of Yuba, Crigler, Duffy, Eichelroth, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, Hawley, M. Hayes, Henley of Sonoma, Horan, Hubner, Hudson, Johnson, King, Lambert, Martin of Butte, McClaskey, McMurphy of El Dorado, Merritt, Mooney, Munday, Murphy of Del Norte and Klamath, Newell, Oates, O'Connell, Pool, Rockwell, Romer, Ryan, Satterwhite, Shores, Stephens, Thurston, Walden, Williams, York and Mr. Speaker—44

NOES—Messrs Andrews, Berry, Biggs, Carothers, Coronel, Hihn, Kelley, Koutz, Martin of Siskiyou, McMillan, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Santa Clara, Robinson, Slicer and Waldron—17.

Title approved

On motion of Mr. Slicer, Senate messages were taken up, to consider Senate Bill No 503.

SPECIAL ORDER.

On motion of Mr. Ryan, the veto message of the Governor, returning Assembly Bill No. 3, was postponed to Saturday, at three o'clock P. M.

Senate Bill No 503.

Read first and second times and ordered to the top of the general file for to-morrow.

Mr G. R. B. Hayes sent up the following protest:

Mr. SPEAKER : As a member of this House, I hereby protest against the outrage committed this day on the rights of myself and other members by the adoption of the motion for the previous question on the indefinite postponement of Assembly Bill No. 563, thereby compelling members to vote without permitting the bill or its title to be read, or its provisions to be explained.

G. R. B HAYES.

We join in the above protest.

RYAN,
FINNEY,
NAPHTALY,
DOSS.

At five o'clock and five minutes P. M., on motion of Mr. Satterwhite, the House adjourned

EVENING SESSION.

At seven o'clock P. M. the House reassembled.

Speaker in the chair

Roll called

Quorum present.

On motion of Mr. Andrews, the rules were suspended to take from the general file Senate Bill No. 441—An Act to authorize the incorporation of canal companies, and to provide for the construction of canals and ditches.

Read a third time and passed ; title approved.

Mr. Biggs moved to suspend the rules, to take up from the general file Assembly Bill No. 698.

Lost.

Mr. G. R. B. Hayes moved to suspend the rules, to take up Senate messages.

Lost.

REPORTS.

Mr. Kelley, at the request of Mr. Scarce, by leave, submitted the following report :

Mr. SPEAKER : Your committee, to whom was referred Senate Bill No. 639—An Act to provide for the collection of taxes in Tehama County—have had the same under consideration, and recommend its passage.

SCARCE, for Delegation.

Mr Brown of Yuba, from the Committee on Enrolment, made the following report :

Mr. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled substitute for Assembly Bill No. 167—An Act amendatory to an Act entitled an Act to incorporate the City of Vallejo, approved March thirtieth, eighteen hundred and sixty-eight.

And this day, at four o'clock and fifty minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

SPECIAL FILE.

Assembly Bill No. 724—An Act to aid and support the State Labor Exchange of Sacramento.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY

Reported back and passage recommended

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Rule thirty-two suspended and bill ordered transmitted immediately to the Senate.

Senate Bill No. 546—An Act concerning salaries of certain officers therein named.

Read a third time and passed; title approved.

Senate Bill No. 318—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties.

Mr. O'Connell moved to strike out "San Francisco."

On which the ayes and noes were demanded by Messrs. Haile, Eichelroth and Merritt, and the House refused, by the following vote:

AYES—Messrs. Biggs, Carothers, Duffy, Escandon, Freeman, Fryer, Gildea, Henley of Sonoma, Horan, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Newell, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Sammons, Satterwhite, Shores, Stephens, Thomas and Mr. Speaker—30.

NOES—Messrs. Appling, Berry, Coroneel, Crigler, De Haven, Doss, Eichelroth, Finney, Green, Griswold, Haile, M. Hayes, Hubner, Hudson, Inman, Johnson, Kelley, King, Koutz, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, Merritt, Mooney, Naphtaly, Oates, Power, Slicer, Waldron, York and Young—34.

Mr. Gildea moved to strike out the enacting clause of the bill.

Lost.

Mr. O'Connell offered an amendment, to reduce the number of additional Notaries in San Francisco to one.

On which the ayes and noes were demanded by Messrs. Gildea, Murphy of Del Norte, and Crigler, and the amendment was adopted, by the following vote:

AYES—Messrs. Blankenship, Coroneel, Duffy, Escandon, Fryer, Gildea, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Hihn, Horan, King, McMillan, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Rockwell, Romer, Ryan, Sammons, Shoemaker, Stephens, Thomas and Walden—33.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Carothers, Crigler, Doss, Eichelroth, Finney, Haile, Hubner, Hudson, Inman, Johnson, Kelley, Koutz, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, Merritt, Miller of Marin, Mooney, Satterwhite, Shores, Slicer, Thurston, Waldron, Williams and Young—30

Read a third time and passed; title approved.

Mr Eichelroth, by leave, introduced a bill for an Act to provide for the maintenance of the indigent sick of the State of California in the County Hospital of Sacramento County.

Read first and second times and ordered on file.

REPORTS.

Mr. G. R. B. Hayes, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 540—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade certain streets in said city and county and to condemn private property for the roadway of said streets.

G. R. B. HAYES, for Committee.

Mr. Green, from the Committee on Enrolment, made the following report:

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 264—An Act to authorize the County of Santa Cruz to aid in the construction of railroads and other roads in said county, and for other purposes pertaining thereto.

Also, Assembly Bill No. 120—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight.

Also, Assembly Bill No. 536—An Act to establish a Municipal Criminal Court in the City and County of San Francisco.

Also, Assembly Bill No. 361—An Act for the relief of T. D. Murphy, W. D. Murphy, G. E. Nottage, S. Malloy, J. J. Bolan, Courtland Wood, H. J. Quinn and Ira P. Thompson, all of the City and County of San Francisco.

Also, Assembly Bill No. 676—An Act to provide for the formation of corporations for the accumulation of funds and savings and the direct promotion of manufacturing and mechanic arts, agriculture and mining.

Also, Assembly Bill No. 699—An Act supplementary to an Act entitled an Act to regulate fees of office and the salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 187—An Act concerning the office of the County Clerk of the City and County of San Francisco.

And this day, at eight o'clock P. M., presented the same to the Governor for his approval.

GREEN, for Committee.

Mr. Merritt, from the Committee on Counties and County Boundaries, made the following report:

Mr. SPEAKER: The Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 639—An Act to create the County of Oristimbo and define its boundaries—respectfully report that they have had the said bill under consideration, and herewith report the same back and recommend it do not pass.

MERRITT, Chairman.

Mr. Duffy gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No 318 passed.

[Mr. Doss in the chair]

SPECIAL FILE CONTINUED.

Senate Bill No. 639—An Act to create the County of Oristimbo and define its boundaries.

Mr. Walden moved to indefinitely postpone the bill

Mr. Murphy of Del Norte moved the previous question.

Sustained.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded by Messrs. Murphy of Del Norte, Martin of Butte and Mooney, and the motion prevailed, by the following vote :

AYES—Messrs Andrews, Appling, Berry, Blankenship, Brown of Yuba, Coronel, Doss, Finney, Gildea, M. Hayes, Henley of Sonoma, Horan, Hubner, Hudson, Johnson, Koutz, Lambert, Martin of Siskiyou, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of Marin, Naphtaly, Newell, Pool, Power, Robinson, Sammons, Satterwhite, Shores, Slicer, Stephens, Thurston, Walden, Waldron, York and Young—38

NOES—Messrs Biggs, Crigler, Escandon, Freeman, Fryer, Green, Griswold, Haile, Inman, Kelley, King, Lewelling, Martin of Butte, McClaskey, Miller of El Dorado, Mooney, Munday, Murphy of Santa Clara, O'Connell, Odell, Romer, Ryan, Shoemaker and Thomas—24.

On motion of Mr. Slicer, the rules were suspended to take up Senate Bill No. 625—An Act to authorize the Board of Supervisors of Santa Clara County to issue bonds and apply the proceeds thereof to the purchasing of school and other furniture for the State Normal School.

Read a third time

On the passage of the bill, the ayes and noes were demanded by Messrs. Thomas, Murphy of Santa Clara and Blankenship, and it passed, by the following vote :

AYES—Messrs. Appling, Berry, Biggs, Brown of Yuba, Carothers, Coronel, Crigler, Duffy, Eichelroth, Escandon, Freeman, Fryer, Green, Haile, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hudson, Johnson, King, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, Merritt, Miller of El Dorado, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, Oates, Odell, Robinson, Rockwell, Romer, Ryan, Satterwhite, Shoemaker, Shores, Slicer, Walden, York and Mr. Speaker—46

NOES—Messrs Andrews, Blankenship, Doss, Finney, M. Hayes, Hibn, Horan, Inman, Koutz, Lambert, Miller of Marin, Murphy of Santa Clara, O'Connell, Pool, Thomas, Thurston, Waldron and Young—18

Title approved.

Messrs Satterwhite, and Murphy of Del Norte, gave notice that they would on to-morrow move to reconsider the vote by which the bill passed

On motion of Mr. Ryan, Senate Bill No. 534—An Act to provide for the improvement of the water front of the City and County of San Francisco—was taken up.

Read a third time.

Mr Biggs moved to make the bill the special order for Friday, at two o'clock.

Lost

Mr. Blankenship moved the previous question.

Sustained

On the passage of the bill, the ayes and noes were demanded by the requisite number, and it passed, by the following vote:

AYES—Messrs Andrews, Blankenship, Brown of Yuba, Carothers, Coronel, Crigler, Doss, Duffy, Eichelroth, Fortune, Freeman, Fryer, Gildea, Green, Haile, G R B. Hayes, M. Hayes, Henley of Mendocino, Hihn, Horan, Inman, Kelley, King, Lewelling, Martin of Siskiyou, McClaskey, McMillan, Merritt, Miller of El Dorado, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, O'Connell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Shoemaker, Thomas, Walden, York and Mr. Speaker—47.

NOES—Messrs. Appling, Berry, Biggs, Koutz, Martin of Butte, McMurry of El Dorado, Newell, Oates, Odell, Shores, Slicer, Waldron and Williams—13

Assembly Bill No 735—An Act to amend an Act entitled an Act to regulate fees and salaries of officers and defining their duties in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

Senate Bill No 641—An Act concerning the offices of the Clerk of the Board of Supervisors and Equalization of the County of Placer.

Read a third time and passed; title approved.

INTRODUCTION OF BILLS.

The following bills were introduced, by leave:

By Mr. Blankenship—An Act to authorize the County of Monterey to aid in the construction of a railroad within its limits, and other purposes pertaining thereto.

Read first and second times and ordered first on special file for to-morrow evening.

By Mr. Hihn—An Act to authorize the County of Santa Cruz to aid in the construction of a railroad in the County of Santa Cruz

Read first and second times and ordered second on special file for to-morrow evening.

On motion of Mr. Naphtaly, Assembly Bill No. 545 was ordered third on the special file for to-morrow evening.

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, March 31st, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present.

Prayer by the Rev. Mr. Gober.

Journal of yesterday read and approved.

Mr. Rockwell, by leave, withdrew from the further consideration of the House, Assembly Bills Nos. 376 and 531.

REPORTS.

Mr. Romer, from the Committee on Railroads and Telegraphs, made the following report:

MR. SPEAKER: The Committee on Railroads and Telegraphs have had under consideration Assembly Bill No. 418—An Act to amend an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one—and report the same back and recommend its passage.

ROMER, Chairman.

Rules suspended and the above reported bill taken up.

Rules further suspended, bill considered engrossed, read a third time and passed; title approved

Mr. Lambert, from the Committee on Ways and Means, made the following report:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Senate Bill No. 712—An Act to regulate interest on money—have considered the same, and herewith report the same back without recommendation.

LAMBERT, Chairman.

Mr. Eichelroth, from the Committee on State Hospitals, made the following report:

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 402—An Act to provide for the appointment of a State Chemist and to define his duties, for and within the State of California—have had the same under consideration, beg leave to report the same back and recommend its passage as amended.

EICHELROTH, Chairman.

Mr. Escandon, by leave, introduced a bill for an Act concerning water courses in the City of Los Angeles

Read first and second times and ordered on special file

Mr. Andrews, from the Committee on Mines and Mining Interests, made the following report:

Mr. SPEAKER: The Committee on Mines and Mining Interests, to whom was referred Senate Bill No. 505—An Act to regulate the rights of the owners of mines—have had the same under consideration, and beg leave to report the same back and recommend its passage.

ANDREWS, Chairman.

Rules suspended, bill taken up, read a third time and passed; title approved.

Mr. Naphtaly reported back from the San Francisco delegation Senate Bill No. 406.

Referred to the Judiciary Committee.

Mr. McMurry of Trinity, from the Committee on Contingent Expenses, made the following report:

Mr. SPEAKER: Your Committee on Contingent Expenses, to whom was referred Senate Bill No. 451—An Act authorizing the Controller of State to employ an additional Clerk—have had the same under consideration, and herewith report the same back and recommend its passage.

McMURRY (of Trinity), Chairman.

Rules suspended, bill taken up, read a third time and passed; title approved.

Mr. Rockwell, from the Committee on Commerce and Navigation, made the following report:

Mr. SPEAKER: The Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 728—An Act to amend an Act entitled an Act declaring certain creeks and rivers navigable—report the same back and recommend its passage.

ROCKWELL, Chairman.

Rules suspended and bill taken up

Rules further suspended, bill considered engrossed, read a third time and passed; title approved.

Mr. Ryan, from the San Francisco delegation, made the following report:

Mr. SPEAKER: The San Francisco delegation, to whom were referred Assembly Bills Nos. 719 and 732 and Senate Bill No. 85, have had the same under consideration, and report them back recommending their passage.

RYAN, Chairman.

Mr. Ryan gave notice that he would submit a minority report in reference to Senate Bill No. 85, recommending that it do not pass

GOVERNOR'S MESSAGES.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 29th, 1870. }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly

Bill No 669—An Act to provide for relocating the county seat of the County of Monterey by the qualified electors of said county.

Also, Assembly Bill No 196—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, A. D. eighteen hundred and sixty-six.

Also, Assembly Bill No. 413—An Act to legalize, ratify and confirm deeds of conveyance and grants of lands within the pueblo lands of San Diego.

Also, Assembly Bill No. 650—An Act to authorize the Board of Supervisors of Marin County to transfer certain funds.

Also, Assembly Bill No. 383—An Act to amend an Act entitled an Act to amend the revenue laws, approved April fourth, eighteen hundred and sixty-four

Also, Assembly Bill No. 602—An Act to define and establish the boundary line between the Counties of Mono and Inyo.

Also, Assembly Bill No. 381—An Act to amend an Act entitled an Act to provide for the incorporation of colleges, passed April twentieth, eighteen hundred and fifty.

Also, Assembly Bill No. 599—An Act to confer additional powers on the Board of Supervisors of Mono County

Also, Assembly Bill No 507—An Act to authorize the Board of Supervisors of Merced County to levy a tax for road purposes, and to direct the application thereof

Also, Assembly Bill No. 521—An Act granting leave of absence to N. D. Witt, District Attorney of San Luis Obispo County.

Also, Assembly Bill No 682—An Act granting leave of absence to James B. Hume, Sheriff of El Dorado County.

Also, Assembly Bill No. 571—An Act granting leave of absence to A. P. Overton, District Attorney of Sonoma County.

Also, Assembly Bill No 405—An Act to amend an Act entitled an Act to incorporate the Town of Union, approved February second, eighteen hundred and fifty-eight.

Also, Assembly Bill No 425—An Act to transfer money from one fund to another in the County of Solano.

Also, Assembly Bill No 387—An Act to authorize the Mayor of the City and County of San Francisco to deed a certain lot of land in said city and county to the Trustees of the Associated Veterans of the Mexican War.

Also, Assembly Bill No. 339—An Act to create a Board of Levee and Street Commissioners, in and for the Town of Pacheco, Contra Costa County, and define their powers and duties

Also, Assembly Bill No 645—An Act to regulate fees of office and salaries of certain officers in the County of San Luis Obispo.

Also, substitute for Assembly Bill No. 336—An Act to confirm and legalize the acts and proceedings of any and all of the Mayors, Common Councils, Alcaldes, Justices of the Peace of the Pueblo of Sonoma, State of California.

H. H. HAIGHT,
Governor

For message of the Governor, returning without his approval Assembly Bill No. 374—An Act to encourage iron mining—see Appendix.

Message taken up.

The question being, "Shall Assembly Bill No 374 pass, notwithstanding

ing the objections of the Governor?" the roll was called, and the House refused to so pass the bill, by the following vote:

AYES—Messrs. Doss, Duffy, Eichelroth, Finney, Fortune, Hawley, Henley of Mendocino, Johnson, King, McClaskey, McMurry of El Dorado, Mooney, Murphy of Del Norte and Klamath, Newell, Oates, O'Connell, Pool, Power, Rockwell, Satterwhite, Stephens, Walden, Waldron, Williams and York—25

NOES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Amador, Carothers, Crigler, De Haven, Escandon, Freeman, Fryer, Green, Haile, M. Hayes, Henley of Sonoma, Hihn, Hubner, Hudson, Inman, Kelley, Koutz, Lambert, Martin of Butte, Martin of Siskiyou, McMillan, Merritt, Miller of Marin, Moynihan, Munday, Naphtaly, Ryan, Sammons, Scarce, Slicer, Thomas, Thurston, Young and Mr. Speaker—38.

MOTIONS AND RESOLUTIONS.

Mr. Fortune offered a concurrent resolution, as follows:

Resolved by the Assembly, the Senate concurring, That the flag on the State Capitol building be lowered to half-mast in respect to the memory of that great man, when living, Major-General George H. Thomas, whose remains will pass through this city to-day.

Adopted unanimously.

Mr. Duffy offered the following:

WHEREAS, It is represented that a certain association, known by the title of the South San Francisco Homestead and Railroad Association, obtained a grant to certain tide lands within the City and County of San Francisco, by an Act of the Legislature, approved April twenty-fifth, eighteen hundred and sixty-three, out to a certain depth of water; and whereas, it is represented that the said association have caused to be included within their survey and the patent issued thereon, certain other tide lands outside of and beyond the depth of water prescribed in the aforesaid Act; now, therefore,

Resolved, That the Board of Tide Land Commissioners be hereby directed, immediately after the passage of this resolution, to institute the requisite inquiries, and to take the proper proceedings to satisfy themselves if more tide lands have been included in the survey of the said association or the patent issued thereon, than the said association are entitled to by the Act aforesaid, and if found that other tide lands belonging to the State, below or beyond the depth of water prescribed in the Act aforesaid, are or have been included in the survey of the said association and the patent issued thereon, then the said Board of Tide Land Commissioners shall take jurisdiction over any such excess of land, under the provisions of an Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight, and cause the same to be surveyed into blocks and lots and streets, and sell the same in the manner and upon the conditions prescribed in last named Act, and shall deal with said excess of land as fully and with the same powers and in all respects as with the other lands included in said last named Act.

Adopted.

Mr Horan moved to suspend the rules, to take up Assembly Bill No. 736.

Lost.

Mr Lambert offered a resolution, that the Clerk of the Committee on Ways and Means be allowed one dollar per day for each and every day of the present session.

Referred to the Committee on Contingent Expenses.

Mr. Biggs offered the following :

Resolved, That we commence at the bottom or top of the roll call, and each member, as his name is called, shall take any bill from the file, unless objected to by two-thirds of the members present

Adopted

Mr Fryer offered the following resolution :

Resolved, That Assembly Bill No. 428—An Act entitled an Act to provide for the better collection of State and county revenue in the County of Los Angeles—be placed on the special file for to-night.

Adopted.

Mr. Romer offered the following resolution :

Resolved, That the Committee on Contingent Expenses be and is hereby required to examine whether any of the employes and attachés of this House have a claim or demand for additional salary for extra work performed by them, or otherwise, and that said committee report on Saturday next.

Lost.

Mr. King moved to take up the resolution to adjourn *sine die*.

Lost.

Mr. Rockwell moved to reconsider the vote by which Assembly Bill No. 725 passed on yesterday.

Mr. Romer moved to indefinitely postpone the motion to reconsider.

Carried.

Mr. Newell, from the Committee on Engrossment, made the following report :

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 735—An Act to amend an Act entitled an Act to regulate fees and salaries of officers, and defining their duties, in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

NEWELL, for Committee.

On motion of Mr. Berry, Assembly Bill No. 721 was referred to the Placer, Sacramento and Sutter delegations.

Mr. McMillan offered a concurrent resolution, instructing our Senators and Representatives in Congress to use all means in their power to have our navy yards placed on a civil basis

Read first and second times, considered engrossed and, by unanimous consent, read a third time and passed; title approved

On motion of Mr. Henley of Sonoma, the rules were suspended to take

up Senate Bill No 301—An Act to divide the State into congressional districts, and fixing the time for electing Representatives to Congress Amended.

Read a third time and passed; title approved

Mr. Duffy gave notice of a motion to reconsider the vote passing the bill.

Mr. Lambert offered the following:

Resolved by the Assembly, the Senate concurring, That joint rule fifteen, in regard to the presentation of bills and resolutions to the Governor for his approval, be temporarily suspended.

Adopted.

SENATE MESSAGES

The following messages were received from the Senate:

SENATE CHAMBER,
March 30th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on the twenty-ninth day of March, passed Assembly Bill No 257—An Act to amend an Act entitled an Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty.

Also, Assembly Bill No. 160—An Act to protect the people of the State of California from the evils of Asiatic emigration.

Also, amended and passed Assembly Bill No. 525—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one

Also, amended and passed Assembly Bill No. 398—An Act to amend section five hundred and thirty-eight of an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, A. D. eighteen hundred and seventy.

Also, amended and passed Assembly Bill No. 286—An Act to amend an Act entitled an Act concerning attorneys and counsellors at law, approved February nineteenth, eighteen hundred and fifty-one.

Also, amended and passed Assembly Bill No 311—An Act to amend an Act concerning Courts of justice of this State.

And indefinitely postponed substitute for Assembly Bill No. 303—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof.

Also, indefinitely postponed Assembly Bill No. 234—An Act to provide for the settlement of statements on appeal and on motion to set aside reports of Commissioners in certain cases.

Also, passed Assembly Bill No 497—An Act conferring certain powers upon the Sonoma Valley Association.

Also, Assembly Bill No. 568—An Act to incorporate the Town of Brooklyn, and to define and establish the boundary line between said town and the City of Oakland.

Also, Assembly Bill No. 622—An Act to encourage the building of railroads in Contra Costa County.

Also, Assembly Bill No. 97—An Act relating to the Home of the Inebriate of San Francisco. and to prescribe the powers and duties of the Board of Managers and the officers thereof.

Also, Assembly Bill No. 648—An Act entitled an Act to confer further powers on the Mayor of the City and County of San Francisco.

Also, Assembly Bill No. 558—An Act to provide for the construction of a street railroad within the City and County of San Francisco.

Also, Assembly Bill No. 619—An Act to incorporate the Fire Department of the City of San José

Also, Assembly Bill No. 291—An Act amendatory of and supplementary to an Act to incorporate the City of Nevada.

Also, Assembly Bill No. 187—An Act concerning the office of the County Clerk of the City and County of San Francisco.

Also, Assembly Bill No. 361—An Act for the relief of T. D. Murphy, W. D. Murphy, G. E. Nottage, S. Malloy, M. J. Bolan, Courtland Wood, H. J. Quinn and Ira D. Thompson, all of the City and County of San Francisco.

Also, Assembly Bill No. 282—An Act concerning certain ordinances of the Board of Supervisors of the City and County of San Francisco, and other matters.

Also, Assembly Bill No. 433—An Act to amend section nine of an Act entitled an Act to amend an Act entitled an Act amendatory of article four of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof.

Also, Assembly Bill No. 457—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street.

Also, receded from its amendments to Assembly Bill No. 324—An Act concerning estrays and animals found running at large in the County of Santa Cruz.

Also, amended and passed Assembly Bill No. 294—An Act to authorize and empower Joshua A. Neal to sell and convey all the property and estate of Maria and Josefa Neal, minor children of said Joshua and Bernal Neal, in certain lands in Alameda County.

Also, amended and passed Assembly Bill No. 362—An Act to regulate the distribution of the Police Fund of the City and County of San Francisco

Also, indefinitely postponed Assembly Bill No. 442—An Act to create the County of Ventura, to establish the boundaries and to provide for its organization.

Also, indefinitely postponed Assembly Bill No. 289—An Act to create the County of Anaheim, to define its boundaries and to provide for its organization and financial affairs.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 30th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, passed, under suspension of the rules, as amended, Senate Bill No. 594—An Act to perfect title to lands granted by the United States to the State of California.

Also passed, under suspension of the rules, as amended, Senate Bill No. 503—An Act to amend an Act to provide for a system of common schools.

And to-day passed, under suspension of the rules, Senate Bill No. 657—An Act to provide for the construction and maintenance of toll roads within the State of California.

Also passed, under suspension of the rules, Senate Bill No. 658—An Act to appropriate money for contingent expenses of the Legislature

ROBERTS,
Secretary.

SENATE CHAMBER,
March 30th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No 667—An Act to provide funds for the construction and improvement of highways in the County of San Mateo

Also, amended and passed Assembly Bill No. 432—An Act for the relief of L. P. Hall and S. J. Garrison

ROBERTS,
Secretary.

SENATE CHAMBER,
March 30th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No 714—An Act to provide for the funding of the indebtedness of Levee District Number One of Lassen County.

Also, Assembly Bill No. 708—An Act authorizing the County of Sonoma to aid the California Pacific Railroad Company

Also, Senate Bill No 631—An Act to authorize the City and County of San Francisco to purchase the property and rights of the Elisian Bay Bridge Company.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
March 31st, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, amended and passed Assembly Bill No 452—An Act to amend an Act entitled an Act to regulate proceeding in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one

Also, under suspension of the rules, passed Assembly Bill No. 589—An Act to provide for the protection of lands in the County of Sutter from overflow.

Also, Assembly Bill No. 701—An Act to legalize the assessment roll of the City of Los Angeles

Also, Assembly Bill No. 718—An Act to ratify and confirm the transactions of the First Unitarian Society of San Francisco, and of the corporation, etc

Also, Assembly Bill No. 634—An Act authorizing the County Treasurer of the County of Santa Clara to pay certain claims against said county.

Also, Assembly Bill No 723—An Act to create a Board of Education for the City of Marysville.

Also, Assembly Bill No. 119—An Act to provide for the improvement of the rivers and streams in Santa Clara County.

Also, Assembly Bill No. 690—An Act concerning the Magdalen Asylum of the City and County of San Francisco

Also, Assembly Bill No. 517—An Act to provide for a charter for the City and County of San Francisco

Also, Assembly Bill No. 389—An Act to pay the claim of Thomas R. Eldredge.

Also, Assembly Bill No. 171—An Act for the relief of John Cartheche, Deputy Sheriff of El Dorado County

Also, Assembly Bill No. 310—An Act to establish a morgue for the City and County of San Francisco

Also, Assembly Bill No. 628—An Act to repeal an Act entitled an Act creating the offices of Township Collectors and Assessors in the County of El Dorado.

Also, Assembly Bill No. 706—An Act to amend an Act entitled an Act to provide means for the government of Santa Cruz County, for the funding and payment of the debt of said county.

Also, Assembly Bill No. 586—An Act to provide for the removal of the Davisville District School-house, in Contra Costa County

Also, Assembly Bill No. 689—An Act amendatory of and supplementary to an Act entitled an Act to reincorporate the City of San José, approved March seventeenth, eighteen hundred and sixty-six

Also, Assembly Bill No. 528—An Act for the relief of Thomas E. Hughes.

Also, Assembly Bill No. 621—An Act to amend an Act entitled an Act in relation to public roads in the County of Amador, and to the Road Fund of said county.

Also, Assembly Bill No. 544—An Act to authorize the establishment of a steam ferry between the Village of Tomales and the opposite side of Tomales Bay, to Laird's Landing, in Marin County, and to construct wharves and docks for the same.

Also, Assembly Bill No. 710—An Act concerning the Road Fund of certain districts in Placer County

Also, Assembly Bill No. 660—An Act making appropriation for deficiencies in the appropriations made for the nineteenth, twentieth and twenty-first fiscal years, ending on the thirtieth of June, eighteen hundred and seventy.

Also, Assembly Bill No. 716—An Act to amend an Act entitled an Act to provide for changing the commencement of the term of office of the District Attorney of the County of Yuba.

Also, substitute for Assembly Bill No. 122—An Act to amend an Act entitled an Act defining the legal distances from each county seat to the Capital, Lunatic Asylum and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

Also, indefinitely postponed Assembly Bill No. 652—An Act to divide the City of Oakland into wards and to provide for the holding of elections therein.

Also, indefinitely postponed Assembly Bill No. 553—An Act to ratify and confirm the corporate acts of the Salinas and Pajaro Turnpike Road Company.

Also passed, under suspension of the rules, Assembly Joint Resolution No. 62—In relation to Julian's bill in Congress, defining swamp and overflowed lands in this State.

Also, Senate Bill No. 660—An Act to legalize the assessments and to

provide for the collection of delinquent taxes in the County of San Luis Obispo

Also, Senate Bill No. 147—An Act for the relief of John Kneland.

Also, on the twenty-ninth instant, passed Senate Bill No. 383—An Act to provide for the destruction of wolves

Also, on the twenty-ninth instant, passed Senate Bill No. 548—An Act to empower the County of Monterey to aid in the construction of the Monterey and Salinas Valley Railroad.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 628, above reported, Senate amendments concurred in.

Assembly Bill No. 452, above reported, Senate amendments concurred in.

Assembly Bill No. 97, above reported, Senate amendments concurred in.

Assembly Bill No. 362, above reported, Senate amendments concurred in.

Assembly Bill No. 286, above reported, Senate amendments concurred in.

Assembly Bill No. 525, above reported, Senate amendments concurred in.

Assembly Bill No. 294, above reported, Senate amendments concurred in.

Assembly Bill No. 311, above reported. Senate amendments concurred in.

Assembly Bill No. 398, above reported, Senate amendments concurred in.

Assembly Bill No. 432, above reported, Senate amendments concurred in.

Senate Bill No. 594, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 631, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 383, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 660, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Assembly Bill No. 660, above reported.

Considered in Committee of the Whole.

[Mr. Haile in the chair.]

IN ASSEMBLY.

Reported back and Senate amendments concurred in.

Senate Bill No. 319, above reported.

Read first and second times.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Bill reported back and, by unanimous consent, read a third time and passed.

Senate Bill No. 147, above reported.
 Read first and second times.
 Considered in Committee of the Whole.
 [Speaker in the chair]

IN ASSEMBLY.

Bill reported back and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 548, above reported, read first and second times and referred to the Committee on Military Affairs

Senate Bill No. 657, above reported, read first and second times and referred to the Committee on Corporations.

Assembly Bill No. 568, above reported.

The House refused to concur in Senate amendments to the bill.

Mr. Blankenship offered the following concurrent resolution:

Resolved by the Assembly, the Senate concurring, That the Governor be requested to return to the Assembly, Assembly Bill No. 324, for the purpose of correcting a clerical error.

Adopted.

Mr. Ryan, from the San Francisco delegation, made a report upon Senate Bill No. 85, recommending an amendment to the bill.

[For report, see Appendix.]

At half-past twelve o'clock P. M. the House took a recess

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

Mr. Duffy, by leave, withdrew his notice of a motion to reconsider the votes passing Senate Bills Nos. 301 and 318.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER, }
 March 31st, 1870 }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on the thirtieth day of March, passed, under suspension of the rules, Senate Bill No. 665—An Act supplementary to an Act entitled an Act to provide compensation to parties whose property may be destroyed in consequence of mobs or riots.

Also, Senate Bill No. 661—An Act granting leave of absence to Antonio F. Coronel, Treasurer of the State of California.

Also, Senate Bill No. 663—An Act to fix the terms of the District Court in the Second Judicial District.

Also, Assembly Bill No. 635—An Act to pay the claims of McNally and Hawkins.

And refused to pass Assembly Concurrent Resolution No. 53—An Act authorizing the Controller of State to draw warrants on Contingent Fund of Senate and Assembly in favor of Joseph Neumann.

Also, adopted Senate Concurrent Resolution No 33—Relative to a weekly mail from Cottage Grove to Orleans, in Klamath County

And adopted Assembly concurrent resolution, relative to lowering flag above the State Capitol to half mast.

MARDIS,
Assistant Secretary

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 663, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved

Senate Bill No. 661, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Senate Concurrent Resolution No 33, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved

Senate Bill No. 665, above reported, read first and second times and ordered on special file.

Mr. Duffy gave notice that he would move to reconsider the vote refusing to concur in the Senate amendments to Assembly Bill No 568.

GENERAL FILE.

Senate Bill No. 578—An Act to authorize the Boards of Supervisors of the several counties of this State to grant franchises in their respective counties for clearing out streets not navigable, etc.

Read a third time and passed; title approved

Assembly Bill No 535—An Act for the relief of J. N. Walker, Sheriff of Fresno County.

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY.

Reported back and passage recommended.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Senate Bill No. 271—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight

Amended.

Read a third time and passed; title approved.

Assembly Bill No. 698—An Act authorizing the issuance of State bonds to the amount of two hundred and fifty thousand dollars, to be known as State Capitol bonds.

Rules suspended, bill considered engrossed, read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Haile, Berry and Horan, and it passed, by the following vote:

AYES—Messrs. Andrews, Appling, Biggs, Carothers, Coronel, Duffy, Eichelroth, Escandon, Finney, Fortune, Freeman, Gildea, Green, Griswold, Haile, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Johnson, Kelley, King, Martin of Butte, McClaskey, McMillan, McMurry of El Dorado, Miller of Marin, Mooney, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Robinson, Rockwell, Romer, Ryan, Scarce, Stephens, Thomas, Thurston, Waldron, Williams and Young—48.

NOES—Messrs Berry, Blankenship, Brown of Amador, Brown of Yuba, Crigler, De Haven, Doss, Fryer, Hubner, Hudson, Inman, Koutz, Lambert, Lewelling, Martin of Siskiyou, McMurry of Trinity, Merritt, Miller of El Dorado, Munday, Newell, Power, Sammons, Satterwhite and Slicer—24.

Title approved.

Assembly Bill No. 731—An Act to submit to the qualified voters of the City and County of San Francisco a proposition to remit said city and county's portion of all taxes on moneys received by savings institutions, banks and loan societies, secured by mortgage.

Amended.

Rules suspended, bill considered engrossed, read a third time

Mr. Duffy moved to recommit, with special instructions.

Lost.

Upon the passage of the bill, the ayes and noes were demanded by the requisite number, and it passed, by the following vote:

AYES—Messrs. Appling, Blankenship, Brown of Amador, Brown of Yuba, Carothers, Coronel, Doss, Duffy, Eichelroth, Escandon, Fortune, Freeman, Gildea, Green, Griswold, Haile, G R B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Johnson, King, Lambert, McClaskey, McMillan, Merritt, Miller of Marin, Mooney, Munday, Naphtaly, Newell, O'Connell, Pool, Robinson, Rockwell, Romer, Ryan, Thomas, Williams, Young and Mr. Speaker—43.

NOES—Messrs Andrews, Berry, Biggs, Crigler, Fryer, Kelley, Koutz, Lewelling, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Murphy of Del Norte and Klamath, Power, Sammons, Satterwhite, Scarce, Slicer and Waldron—20

Title approved.

Senate Bill No 503—An Act to amend an Act to provide for a system of common schools.

Amended

Mr. Hihn offered to amend as follows: Add a section as follows: "Section 117 The County of Santa Cruz is hereby exempted from the provisions of sections ninety-one, ninety-two, ninety-three, ninety-four, ninety-nine, one hundred and one hundred and one."

Lost.

Read a third time and passed; title approved.

Assembly Bill No. 653—An Act to secure a lien on live stock kept, fed or pastured by ranchmen and stable keepers

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Rule number thirty-two suspended, and bill ordered transmitted immediately to the Senate.

Mr. Murphy of Santa Clara offered a concurrent resolution, providing that the Enrolling Clerk be authorized to insert a section omitted in enrolling Assembly Bill No. 119.

Adopted.

Assembly Bill No 418—An Act to obtain and preserve genuine vaccine matter and to provide for the vaccination of the children of this State.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Mr. Martin of Siskiyou, from the Committee on Enrolment, made the following report :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 310—An Act to establish a morgue for the City and County of San Francisco.

And this day, at twelve o'clock and five minutes P. M., presented the same to the Governor for his approval.

MARTIN (of Siskiyou), for Committee.

Assembly Bill No. 739—An Act concerning water courses in the City of Los Angeles.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Rule number thirty-two suspended and bill ordered transmitted immediately to the Senate

Senate Bill No. 513—An Act to pay for services rendered in the office of the State Surveyor-General

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY.

Reported back and passage recommended.

Read a third time and passed; title approved

Senate Bill No. 100—An Act for the relief of John H. Smith.

Considered in Committee of the Whole

[Speaker in the chair]

IN ASSEMBLY.

Reported back and passage recommended.

Read a third time and passed; title approved.

Senate Bill No. 655—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read a third time and passed; title approved

Assembly Bill No. 573—An Act concerning the office of State Printer.

Mr. Slicer moved to indefinitely postpone the bill.

Mr. Henley of Sonoma moved the previous question.

Sustained

On the motion of Mr Slicer, the ayes and noes were demanded by Messrs Duffy, Waldron and Inman, and the bill was indefinitely postponed, by the following vote:

AYES—Messrs. Andrews, Appling, Blankenship, Brown of Amador, Brown of Yuba, Crigler, Eichelroth, Fortune, Freeman, Gildea, Griswold, Haile, Hawley, G R B. Hayes, Henley of Mendocino, Henley of Sonoma, Hudson, Kelley, King, Lambert, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of Trinity, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Oates, Odell, Pool, Robinson, Rockwell, Ryan, Satterwhite, Scarce, Slicer, Stephens, Thomas, Thurston, Young and Mr. Speaker—42.

NOES—Messrs. Berry, Carothers, De Haven, Duffy, Finney, Hihn, Inman, Johnson, Koutz, Lewelling, McMurry of El Dorado, Miller of El Dorado, Naphtaly, Newell, Shores, Walden, Waldron, Williams and York—19.

Senate Bill No. 187—An Act for the relief of Caleb Dorsey, District Attorney of Tuolumne County

Read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. York, Calderwood and Waldron, and the House refused to pass the bill, by the following vote:

AYES—Messrs. Brown of Amador, Crigler, Finney, Freeman, Griswold, Hawley, G. R. B. Hayes, Henley of Mendocino, Johnson, Kelley, Martin of Butte, McMillan, McMurry of El Dorado, Mooney, Naphtaly, Oates, Odell, Romer, Ryan, Satterwhite, Walden and Mr. Speaker—21.

NOES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Yuba, Calderwood, Carothers, Coronel, De Haven, Doss, Duffy, Eichelroth, Fryer, Green, Haile, Hubner, Hudson, King, Lewelling, Martin of Siskiyou, McMurry of Trinity, Merritt, Miller of El Dorado, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Newell, Pool, Power, Robinson, Sammons, Scarce, Shores, Thomas, Waldron, Williams, York and Young—39.

Mr. Eichelroth gave notice of a motion to reconsider the vote just taken.

Substitute for Assembly Bills Nos. 62 and 523—An Act to provide a uniform system of ballots in this State, and other matters relating thereto.

Read a third time and passed; title approved.

Mr. Newell, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 734—An Act to submit to the qualified electors of the City and County of San Francisco a proposition to remit said city and county's portion of all taxes on moneys received by savings institutions, banks and loan societies, secured by mortgage.

Also, Assembly Bill No. 535—An Act for the relief of J. N. Walker, Sheriff of Fresno County.

NEWELL, for Committee.

Mr. Finney, by leave, introduced a bill for an Act amendatory of and supplementary to an Act entitled an Act to provide for the continuance and election of a Board of Supervisors in and for the County of San Mateo, and to define and limit the powers of said Board in certain cases, approved March twenty-fourth, eighteen hundred and sixty-four.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

Assembly Bill No. 575—An Act to authorize certain parties to introduce water into the City and County of San Francisco.

Amended.

Mr. Ryan offered a substitute.

Substitute adopted.

Rules suspended, bill considered engrossed and read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. McMillan, Moyuahan and Berry, and it passed, by the following vote :

AYES—Messrs. Biggs, Crigler, Doss, Fortune, Green, Griswold, Haile, G. R. B. Hayes, Henley of Sonoma, Hihn, Hubner, Johnson, King, Koutz, Lewelling, Martin of Butte, McMurry of El Dorado, Miller of El Dorado, Miller of Marin, Munday, Naphtaly, Oates, O'Connell, Odell, Pool, Power, Robinson Rockwell, Ryan, Sammons, Scarce, Shores, Stephens, Thomas, Thurston, York and Young—37.

NOES—Messrs. Andrews, Appling, Berry, Brown of Amador, Brown of Yuba, Duffy, Hudson, Martin of Siskiyou, McMillan, McMurry of Trinity, Merritt, Murphy of Del Norte and Klamath, Newell, Satterwhite, Slicer, Waldron and Mr Speaker—17.

Title approved

At four o'clock and forty minutes p. m., a message was received from the Governor, returning without his approval Assembly Bill No. 154.

On motion of Mr. Naphtaly, the rule adopted in reference to the general file was continued, to apply to the special file during evening sessions

Mr Green, from the Committee on Enrolment, made the following report :

MR SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 635—An Act to pay the claims of McNally and Hawkins

Also, Assembly Bill No. 718—An Act to ratify and confirm the transactions of the First Unitarian Society of San Francisco, and of the corporation, The Board of Directors of the same.

And this day, at two o'clock p. m., presented the same to the Governor for his approval.

GREEN, for Committee.

Senate Bill No. 562—An Act for the encouragement of agriculture.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back with amendments and passage recommended.

Amendment recommended to section one lost.

Amendment, striking out all district societies, adopted.

Read a third time

On the passage of the bill, the ayes and noes were demanded by Messrs Gildea, Berry and Lewelling, and the House refused to pass the same, by the following vote :

AYES—Messrs. Blankenship, Carothers, Eichelroth, Freeman, Gildea, Haile, Kelley, Koutz, Murphy of Del Norte and Klamath, Oates, Pool, Power, Romer, Shores, Waldron, Williams and York—17

NOES—Messrs. Andrews, Berry, Biggs, Crigler, Fryer, G. R. B. Hayes, Henley of Sonoma, Hubner, Hudson, Inman, Johnson, King, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, Merritt, Miller of El Dorado, Miller of Marin, Munday, Naphtaly, Newell,

Sammons, Satterwhite, Scarce, Slicer, Stephens, Thomas, Thurston and Walden—27.

Mr Stephens gave notice that on to-morrow he would move to reconsider the vote just taken

At five o'clock and forty minutes p. m., on motion of Mr. Biggs, the House adjourned to seven o'clock p. m.

EVENING SESSION.

At seven o'clock p. m. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

SENATE MESSAGES

On motion of Mr. Naphtaly, the rules were suspended, to take up the following Senate messages:

SENATE CHAMBER. }
March 31st, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Senate Bill No. 669—An Act to provide for the payment of the salary of the County Treasurer of the County of Colusa

Also, passed Senate Bill No. 43—Proposed amendments to the Constitution of the State of California.

MARDIS,
Assistant Secretary.

SENATE CHAMBER, }
March 31st, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Senate Bill No. 666—An Act to empower the City and County of San Francisco to aid in the construction of the Southern Pacific Railroad, and other purposes

Also, passed, under suspension of the rules, Senate Bill No. 667—An Act to define the powers of Justices of the Peace in the City and County of San Francisco

Also, passed, under suspension of the rules, Senate Bill No. 668—An Act to aid in giving effect to an Act of Congress relating to the Southern Pacific Railroad Company.

ROBERTS,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 669, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved

Senate Bill No. 668, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved

Senate Bill No. 666, above reported, read first and second times and, by unanimous consent, read a third time

On the passage of the bill, the ayes and noes were demanded by Messrs. McMillan, Berry and Freeman, and it passed, by the following vote:

AYES—Messrs Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Coronel, Crigler, De Haven, Duffy, Eichelroth, Finney, Fortune, Freeman, Griswold, Haile, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, Inman, Johnson, King, Lambert, Lewelling, Martin of Butte, McClaskey, McMurry of El Dorado, Miller of Marin, Moynihan, Munday, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Odell, Pool, Power, Robinson, Rockwell, Romer, Satterwhite, Scarce, Shores, Stephens, Thomas, Thurston, Walden, Waldron, Williams, York, Young and Mr Speaker—56

NOES—Messrs. Andrews, Berry, Gildea, Martin of Siskiyou, McMillan, McMurry of Trinity and Miller of El Dorado—7.

Title approved

Senate Bill No 43, above reported, read first and second times

On motion of Mr Gildea, the bill was made the special order for half-past one o'clock p. m., on Saturday, and ordered printed.

Senate Bill No 667, above reported, read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved.

REPORT.

Mr. King, from the Committee on Corporations, made the following report:

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No 657—An Act to provide for the construction and maintenance of toll roads in the State of California—have considered the same, report the bill back and recommend its passage

KING, Chairman.

Rules suspended, bill taken up, by unanimous consent read a third time and passed; title approved

SPECIAL FILE.

Senate Bill No 538—An Act to authorize the Counties of Tehama and Colusa to aid in the construction of the railroad proposed to be built by the Benena and Red Bluff Railroad Company.

Amendments to lines four and eight

Lost

Mr G. R. B. Hayes moved the previous question.

Sustained.

On the question of adopting an amendment to section one, line eighteen, the ayes and noes were demanded by Messrs. Andrews, Hudson and Kelley, and it was lost, by the following vote:

AYES—Messrs Andrews, Berry, Biggs, Crigler, Haile, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hudson, Kelley, Koutz, Martin of Siskiyou, Merritt, Miller of Marin, Munday, Newell, Odell, Power, Scarce, Shores, and Thurston—21

NOES—Messrs. Appling, Brown of Amador, Brown of Yuba, Coronel, De Haven, Duffy, Eichelroth, Escandon, Fortune, Freeman, Green, Griswold, Hihn, Hubner, Johnson, King, Lambert, Lewelling, Martin of

Butte, McClaskey, McMillan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Pool, Robinson, Rockwell, Romer, Satterwhite, Stephens, Thomas, Walden, Waldron, Williams, York, Young and Mr. Speaker—39.

Amendment to section one, line twenty-two.

Lost.

Read a third time and passed; title approved.

Mr. Biggs gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

Assembly Bill No. 51—An Act for the relief of the Hibernia Greens Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back and indefinite postponement recommended.

On which the ayes and noes were demanded by Messrs. Rockwell, Moynihan and McMillan, and the House refused, by the following vote:

AYES—Messrs. Berry, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Carothers, De Haven, Duffy, Hubner, King, Koutz, Martin of Butte, Martin of Siskiyou, McMurphy of Trinity, Merritt, Munday, Power, Sammons, Waldron and Williams—20

NOES—Messrs. Appling, Blankenship, Colonel, Crigler, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hudson, Inman, Kelley, Lambert, Lewelling, McClaskey, McMillan, McMurphy of El Dorado, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Pool, Robinson, Rockwell, Romer, Ryan, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thurston, Walden, York and Mr. Speaker—49

Mr. Rockwell moved to suspend the rules, to consider the bill engrossed and place it on its passage.

On which the ayes and noes were demanded by Messrs. Duffy, Waldron and Biggs, and the motion prevailed, by the following vote:

AYES—Messrs. Appling, Blankenship, Colonel, Eichelroth, Escandon, Fortune, Freeman, Fryer, Gildea, Green, Haile, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hudson, Inman, Johnson, Kelley, King, Lambert, Lewelling, Martin of Butte, McClaskey, McMillan, McMurphy of El Dorado, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, O'Connell, Pool, Power, Robinson, Rockwell, Romer, Ryan, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Stephens, Thomas, Thurston, York, Young and Mr. Speaker—51

NOES—Messrs. Berry, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Crigler, De Haven, Duffy, Griswold, Hubner, Martin of Siskiyou, McMurphy of Trinity, Merritt, Munday, Sammons, Walden, Waldron and Williams—19.

Read a third time.

Mr. Eichelroth moved the previous question.

Sustained.

Bill passed and title approved.

Mr Satterwhite moved to reconsider the vote by which Senate Bill No. 625 passed on yesterday.

Mr. Haile moved to indefinitely postpone the motion to reconsider.

Mr. Fortune moved the previous question.

On which the ayes and noes were demanded by Messrs. Murphy of Santa Clara, Berry and Satterwhite, and the main question was ordered, by the following vote :

AYES—Messrs. Appling, Berry, Biggs, Brown of Yuba, Carothers, Crigler, Eichelroth, Fortune, Haile, G. R. B. Hayes, M. Hayes, Henley of Sonoma, Hudson, Inman, Johnson, Kelley, King, Koutz, Lewelling, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Oates, Odell, Pool, Robinson, Rockwell, Ryan, Sammons, Satterwhite, Shores, Slicer, Thurston, Walden, Waldron, Williams, Young and Mr Speaker—47.

NOES—Messrs. Andrews, Brown of Amador, Duffy, Finney, Hihn, Martin of Butte, Miller of Marin, Power, Thomas and York—10.

On the motion to indefinitely postpone the motion to reconsider, the ayes and noes were demanded by Messrs G. R. B. Hayes, Berry and McMillan, and the motion prevailed, by the following vote :

AYES—Messrs. Appling, Berry, Biggs, Brown of Yuba, Crigler, De Haven, Duffy, Eichelroth, Fryer, Haile, M. Hayes, Hubner, Hudson, Johnson, Kelley, King, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, Merritt, Monday, Oates, Odell, Pool, Rockwell, Romer, Scarce, Shores, Slicer, Stephens, Young and Mr. Speaker—34

NOES—Messrs. Andrews, Blankenship, Carothers, Fortune, Green, Griswold, G. R. B. Hayes, Hihn, Lambert, McMillan, McMurry of Trinity, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, O'Connell, Robinson, Ryan, Sammons, Satterwhite, Thomas, Thurston, Walden, Waldron, Williams and York—27.

SPECIAL FILE CONTINUED.

Senate Bill No. 559—An Act to empower the Counties of Yolo, Colusa and Tehama to aid in the construction of a railroad in said counties.

On an amendment to section one, striking out "Yolo," the ayes and noes were demanded by Messrs Kelley, Biggs and Freeman, and the amendment was adopted, by the following vote :

AYES—Messrs. Appling, Biggs, Blankenship, Fortune, Freeman, Fryer, Green, Henley of Mendocino, Kelley, King, Koutz, Lambert, Martin of Butte, McClaskey, Miller of Marin, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Newell, Oates, Odell, Pool, Power, Rockwell, Romer, Satterwhite, Stephens, Thurston, Walden, Williams, York and Mr. Speaker—31

NOES—Messrs. Andrews, Berry, Brown of Yuba, Carothers, Coronel, Crigler, Escandon, Griswold, Haile, Henley of Sonoma, Hudson, Inman, Martin of Siskiyou, McMillan, Merritt, Munday, Naphtaly, Ryan, Sammons, Shoemaker, Shores, Slicer, Thomas, Waldron and Young—25.

Amendment to section one, by striking out the words "second Saturday in June," in fifth line, and insert the words "first Saturday in May "

Lost.

Section two amended.

Mr. Gildea offered an amendment, to regulate fares and freight.

On which the ayes and noes were demanded by Messrs. Berry, Miller of El Dorado and Satterwhite, and it was adopted, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Yuba, Carothers, Crigler, Eichelroth, Fortune, Freeman, Fryer, Gildea, Green, Griswold, Haile, Henley of Sonoma, Hudson, Johnson, Kelley, King, Koutz, Lambert, Martin of Siskiyou, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Munday, Murphy of Del Norte and Klamath, Naphtaly, Newell, Odell, Pool, Power, Robinson, Sammons, Scarce, Shores, Slicer, Thurston, Waldron, Young and Mr. Speaker—44.

NOES—Messrs. Martin of Butte, McClaskey, McMillan, Oates, Rockwell, Romer, Satterwhite, Walden, Williams and York—10.

Read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Biggs, Lambert and Kelley, and it passed, by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Coronel, Crigler, Escandon, Freeman, Gildea, Griswold, Haile, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hudson, Inman, Kelley, Koutz, Lewelling, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Munday, Naphtaly, Newell, Oates, Odell, Power, Robinson, Ryan, Sammons, Scarce, Shoemaker, Shores, Thomas, Thurston, Waldron, Williams and Young—45.

NOES—Messrs. Appling, Blankenship, Carothers, Duffy, Eichelroth, Finney, Fortune, Green, King, Lambert, McClaskey, McMillan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, O'Connell, Pool, Rockwell, Romer, Satterwhite, Slicer, Stephens, Walden, York and Mr. Speaker—24

Title amended.

Mr. Martin of Butte gave notice of a motion to reconsider the vote by which the bill passed.

REPORTS.

Mr. Blankenship, from the Monterey delegation, made the following report :

MR. SPEAKER: The delegation from Monterey, to whom was referred Senate Bill No. 548—An Act to empower the County of Monterey to aid in the construction of the Monterey and Salinas Valley Railroad—here-with report the same back, with amendments, and recommend its passage as amended

BLANKENSHIP, for Delegation.

Mr. G. R. B. Hayes, from the Committee on Engrossment, made the following report :

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 575—An Act to authorize certain parties to introduce water into the City and County of San Francisco.

G. R. B. HAYES, for Committee.

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

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, April 1st, 1870 }

House met pursuant to adjournment
Speaker in the chair
Roll called
Quorum present.
Journal of yesterday read and approved

INTRODUCTION OF BILLS.

Mr. Naphtaly, by leave, introduced a bill for an Act to amend an Act entitled an Act to regulate the fees of office and salaries of certain officers and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and, by unanimous consent, read a third time and passed; title approved.

Mr. Biggs, by leave, introduced a bill for an Act for the relief of the Stockton Light Dragoons

Read first and second times.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back and passage recommended.

Mr. Haile moved to indefinitely postpone the bill.

When, on motion of Mr. Hubner, the bill was withdrawn.

Mr. Henley of Sonoma moved to reconsider the vote by which Senate Bill No 559 passed on yesterday.

Mr. Haile moved to indefinitely postpone the motion to reconsider.

Mr. Inman moved the previous question

On which the ayes and noes were demanded by Messrs Martin of Butte, Satterwhite, and Miller of El Dorado, and the main question ordered, by the following vote:

AYES—Messrs. Andrews, Berry, Calderwood, Carothers, Crigler, Eichelroth, Finney, Green, Haile, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, Inman, Johnson, Kelly, King, Koutz, Lewelling, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Moynihan, Munday, Naphtaly, Newell, Oates, Odell, Power, Robinson, Ryan, Sammons, Searce, Shores, Slicer, Thurston, Waldron and Young—43

NOES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Doss, Duffy, Freeman, Horan, Lambert, Martin of Butte, McMillan, Miller of Marin, O'Connell, Pool, Rockwell, Romer, Satterwhite, Stephens, Williams and York—21

The motion of Mr. Haile prevailed, and the motion to reconsider was indefinitely postponed.

Mr. Satterwhite moved to reconsider the vote by which Senate Bill No. 538 passed.

The motion was indefinitely postponed.

Mr. Miller of El Dorado introduced a concurrent resolution in regard to the passage of a law by Congress granting aid in the construction of a canal for mining purposes, from Mountain Lake, El Dorado County, to Sacramento.

Read first and second times and, by unanimous consent, read a third time and adopted.

Mr. Duffy, by leave, withdrew his motion to reconsider the vote whereby the House refused to concur in Senate amendments to Assembly Bill No. 568.

REPORTS

Mr. Brown of Yuba, from the Committee on Enrolment, made the following reports :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 160—An Act to protect the people of the State of California from the evils of Asiatic emigration.

Also, Assembly Bill No. 70—An Act to authorize Assessors to complete duties imperfectly performed.

Also, Assembly Bill No. 648—An Act entitled an Act to confer further powers on the Mayor of the City and County of San Francisco.

Also, Assembly Bill No. 474—An Act further to define the powers and duties of the Sheriff of San Francisco.

Also, Assembly Bill No. 491—An Act amendatory of an Act entitled an Act in relation to roads and highways in Sonoma County, to provide for the election of one County Commissioner of Roads and Highways and prescribe his duties, and repeal all other Acts so far as they conflict with the provisions thereof, approved March eighth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 711—An Act concerning lawful fences in the County of El Dorado.

Also, Assembly Bill No. 257—An Act to amend an Act entitled an Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty.

Also, Assembly Bill No. 291—An Act amendatory of and supplementary to an Act to incorporate the City of Nevada, approved April nineteenth, eighteen hundred and fifty-six.

Also, Assembly Bill No. 708—An Act authorizing the County of Sonoma to aid the California Pacific Railroad Company.

Also, Assembly Bill No. 282—An Act concerning certain ordinances of the Board of Supervisors of the City and County of San Francisco, and other matters

Also, Assembly Bill No. 497—An Act conferring certain powers upon the Sonoma College Association

Also, Assembly Bill No. 414—An Act to provide for the translation of foreign records in the County of Sonoma, and to make such translations evidence of their contents.

Also, Assembly Bill No. 685—An Act to establish a State Normal School

Also, Assembly Concurrent Resolution No. 57—Authorizing amendments in Assembly Bill No 70

Also, Assembly Bill No. 219—An Act to ratify certain acts and ordinances of the Mayor and Common Council of the City of Los Angeles

Also, Assembly Bill No. 324—An Act concerning estrays and animals found running at large in the County of Santa Cruz.

Also, Assembly Bill No. 622—An Act to encourage the building of railroads in Contra Costa County.

Also, Assembly Bill No. 478—An Act to define and establish the line and width of East street, between Market street and Clay street wharf, in the City and County of San Francisco.

Also, Assembly Bill No 332—An Act in relation to delinquent taxes in Alpine County.

Also, Assembly Bill No 702—An Act amendatory of and supplemental to an Act entitled an Act concerning roads and highways in the County of Tuolumne, approved February twenty-seventh, eighteen hundred and sixty-six

Also, Assembly Bill No. 433—An Act to amend section nine of an Act entitled an Act to amend an Act entitled an Act amendatory of article fourth of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six, repealing sections thirty-six to sixty-four, inclusive, and Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said article four, approved April twenty-fifth, eighteen hundred and sixty-two, approved March twenty-sixth, eighteen hundred and sixty-eight.

Also, substitute for Assembly Bill No. 692—An Act to provide competitive scholarships for the benefit of meritorious young men desirous of entering the State University.

Also, Assembly Bill No. 677—An Act in relation to labor and materials on the public buildings of this State.

Also, Assembly Bill No. 451—An Act to provide for the payment of the funded indebtedness of the State of California. and to contract a funded debt for that purpose.

And this day, at one o'clock and forty-five minutes P M., presented the same to the Governor for his approval

BROWN (of Yuba), for Committee.

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 723—An Act to create a Board of Education for the City of Marysville.

Also, Assembly Bill No. 389—An Act to pay the claim of Thomas R. Eldredge

And this day, at one o'clock and forty-five minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee

Mr. Newell, from the Committee on Roads and Highways, made the following report:

MR SPEAKER: The Committee on Roads and Highways, to whom was referred Assembly Bill No. 595—An Act to amend an Act entitled an Act to amend sections six and thirteen of an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity, approved March twenty-eighth, eighteen hundred and sixty-three, approved March twenty-fifth, eighteen hundred and sixty-eight—have had the same under consideration, and respectfully report the same back with recommendation that it pass

NEWELL, Chairman

Bill taken up, considered engrossed, read a third time and passed; title approved

Mr. Murphy of Santa Clara, for the delegation, reported back Senate Bill No. 555, recommending that all in relation to Santa Clara be stricken from the bill.

[For report, see Appendix.]

GOVERNOR'S MESSAGES.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 31st, 1870 }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 713—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 482—An Act providing for the construction of a public road in Marin County.

Also, Assembly Bill No. 455—An Act to provide for the location and laying out of a public road from Russian River to Gualalla River, in Sonoma County

Also, Assembly Bill No. 487—An Act to aid in the construction of a wagon road from Round Valley, in Mendocino County, to Hydesville, in Humboldt County.

Also, Assembly Bill No. 528—An Act concerning roads and highways in the County of Lassen.

Also, Assembly Bill No. 591—An Act to incorporate the Town of Hornitas.

Also, Assembly Bill No. 317—An Act to authorize the Board of Supervisors of the County of Sutter to enter upon, condemn and take possession of a certain tract of land in said county, to be used as a public graveyard.

Also, Assembly Bill No. 411—An Act to alter and the better to define the corporate limits of the Town of Santa Rosa, in the County of Sonoma

Also, Assembly Bill No. 218—An Act to amend an Act entitled an Act to authorize the formation of corporations to provide the members thereof with homesteads or lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty-one

Also, Assembly Bill No. 369—An Act for the relief of Amos Roberts, Sheriff of Solano County.

Also, Assembly Bill No. 459—An Act to authorize the Board of Supervisors of Sutter County to construct a bridge across the tule at or near the point where the Stone road now crosses said tule, and collect tolls thereon

Also, Assembly Bill No. 445—An Act concerning roads and highways in the County of Sutter.

Also, Assembly Bill No. 446—An Act concerning roads and highways in the County of Placer.

Also, Assembly Bill No. 144—An Act to locate the county seat for the County of Lake

Also, Assembly Bill No. 356—An Act for the relief of W. R. Crawford.

Also, Assembly Bill No. 365—An Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two.

Also, Assembly Bill No. 561—An Act to increase the number of Notaries Public for the County of Monterey.

Also, Assembly Bill No. 444—An Act to authorize the issue of bonds by the County of San Diego, to erect county buildings

Also, Assembly Bill No. 679—An Act amendatory of and supplemental to an Act to authorize the establishment of a Board of Health in the City of Sacramento, approved March twenty-seventh, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 688—An Act to fix the compensation of Under Sheriff of Alameda County.

H. H. HAIGHT,
Governor.

The message received from the Governor, returning without his approval Assembly Bill No. 154—An Act to ratify and confirm certain ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco, and proceedings had thereunder—was now taken up.

[For message, see Appendix.]

Mr. Haile moved the previous question.

Sustained.

The question being "Shall the bill pass, notwithstanding the objections of the Governor?" the roll was called, and it so passed, by the following vote:

AYES—Messrs Appling, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Coronel, Doss, Duffy, Eichelroth, Escandon, Fortune, Freeman, Gildea, Green, Griswold, Haile, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Johnson, Kelley, King, Martin of Butte, McClaskey, McMurry of El Dorado, Miller of El Dorado, Miller of Marin, Mooney, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Odell, Pool,

Power, Robinson. Rockwell, Romer, Ryan, Satterwhite, Shoemaker, Shores, Stephens, Thurston, Walden, Waldron, Williams, York, Young and Mr Speaker—55.

Noes—Messrs. Andrews, Berry, Biggs, Crigler, De Haven, G. R. B Hayes, Hihn, Inman, Koutz, Lewelling, Martin of Siskiyou, McMurry of Trinity, Merritt, Moynihan and Sammons—15

REPORTS.

Mr. Lewelling, from the Committee on Enrolment, made the following reports:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 589—An Act to provide for the protection of lands in the County of Sutter from overflow.

Also, Assembly Bill No. 362—An Act to regulate the distribution of the Police Fund of the City and County of San Francisco.

And this day, at eleven o'clock and forty-five minutes, presented the same to the Governor for his approval

LEWELLING, for Committee.

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 286—An Act to amend an Act entitled an Act concerning attorneys and counsellors at law, approved February nineteenth, eighteen hundred and fifty-one

Also, Assembly Bill No. 311—An Act to amend an Act concerning Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three

Also, Assembly Bill No. 538—An Act to provide for the construction of a street railroad within the City and County of San Francisco.

Also, Assembly Bill No. 585—An Act supplementary to an Act entitled an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 660—An Act making appropriations for deficiencies in the appropriations made for the nineteenth, twentieth and twenty-first fiscal years, ending on the thirtieth of June, eighteen hundred and seventy.

Also, Assembly Bill No. 667—An Act to provide funds for the construction and improvement of highways in the County of San Mateo.

Also, Assembly Bill No. 619—An Act to incorporate the Fire Department of the City of San José.

And this day, at eleven o'clock and forty-five minutes P. M. presented the same to the Governor, for his approval.

LEWELLING, for Committee.

Mr. Newell, from the Committee on Engrossment, made the following report:

Mr. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 501—An Act for the relief of the Hibernia Greens

Also, Assembly Bill No. 728—An Act to amend an Act entitled an Act declaring certain rivers and creeks navigable.

NEWELL, for Committee.

On motion of Mr. Blankenship, the rules were suspended to take up Senate Bill No 548—An Act to empower the County of Monterey to aid in the construction of the Monterey and Salinas Valley Railroad.

Amendments adopted.

Read a third time and passed; title approved.

Mr. Inman, from the Committee on Public Accounts and Expenditures, made the following report :

MR. SPEAKER : The Committee on Public Accounts and Expenditures, having examined and found correct the following accounts, beg leave to report the same and recommend the adoption of the accompanying resolution :

| To whom due. | Amount. |
|---|----------|
| Edwards & Co., for pens, envelopes, etc | \$142 50 |
| John Breuner, for furniture and repairing same | 68 75 |
| Wm. O'Brien, for drayage..... | 12 00 |
| Edwards & Co, for stationery, etc..... | 88 00 |
| T J. Clunie, for rent of judiciary rooms | 5 00 |
| I. L. Merrill, for spittoons, etc..... | 78 00 |
| Phil. Caduc, for ice..... | 55 82½ |
| Mrs. Wm English, for rent of committee rooms and for wood supplied the same..... | 420 00 |
| T. A. Springer, for <i>Amador Ledger</i> | 9 00 |
| Monterey <i>Democrat</i> , for papers..... | 60 00 |
| E F. Bean & Co, for <i>Nevada Gazette</i> | 8 00 |
| Daily <i>Evening Herald</i> , for papers..... | 4 25 |
| Wm. S. Moss & Co., for daily and weekly <i>Examiner</i> | 281 50 |
| Stockton <i>Independent</i> , for papers | 30 50 |
| Richard Ferris, for San Francisco <i>Chronicle</i> | 27 00 |
| Tuolumne City <i>News</i> , for papers..... | 80 00 |
| California <i>Express</i> , for papers..... | 9 00 |
| Geo I. Lytle, for <i>Evening Bulletin</i> | 133 80 |
| San Francisco <i>Call</i> office, for papers. | 65 88 |
| Murphy & Knowlton, for <i>Gilroy Advocate</i> | 3 50 |
| Weekly <i>Sutter Banner</i> , for papers..... | 6 00 |
| <i>Alta California</i> office, for papers | 118 87½ |
| Joseph Walkup, for <i>Placer Herald</i> | 54 00 |
| <i>Northern Enterprise</i> , for papers | 12 00 |
| Robert Nixon, for <i>Yreka Journal</i> | 3 00 |
| Kies & Cayatille, for <i>Mountain Democrat</i> | 171 00 |
| J. J. Owen & Co., for San José <i>Mercury</i> | 3 00 |

Resolved. That the Controller of State be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly, as follows :

In favor of Edwards & Co., for one hundred and forty-two dollars and fifty cents.

In favor of John Breuner, for sixty-eight dollars and seventy-five cents.

In favor of Wm O'Brien, for twelve dollars.

In favor of Edwards & Co., for eighty-eight dollars.

In favor of T. J. Clunie, for five dollars.

In favor of I. L. Merrill, for seventy-eight dollars.

In favor of Phil. Caduc, for fifty-five dollars and eighty-two and one-half cents.

In favor of Mrs. Wm. English, for four hundred and twenty dollars.

In favor of T. A. Springer, for nine dollars

In favor of the *Monterey Democrat*, for sixty dollars

In favor of E. F. Bean, for eight dollars.

In favor of the daily evening *Herald*, for four dollars and twenty-five cents.

In favor of Wm. S. Moss & Co., for two hundred and eighty-one dollars and fifty cents

In favor of the *Stockton Independent*, for thirty dollars and fifty cents.

In favor of Richard Ferris, for twenty-seven dollars.

In favor of the *Tuolumne City News*, for eighty dollars.

In favor of the *California Express*, for nine dollars

In favor of Geo. I. Lytle, for one hundred and thirty-three dollars and eighty cents

In favor of the *San Francisco Call*, for sixty-five dollars and eighty-eight cents.

In favor of Murphy & Knowlton, for three dollars and fifty cents.

In favor of the weekly *Sutter Banner*, for six dollars

In favor of the *Alta California* office, for one hundred and eighteen dollars and eighty-seven and one-half cents

In favor of Joseph Walkup, for fifty-four dollars.

In favor of the *Northern Enterprise*, for twelve dollars

In favor of Robert Nixon, for three dollars

In favor of Kies & Caystille, for one hundred and seventy-one dollars.

In favor of J. J. Owen, for three dollars.

INMAN, Chairman.

Mr. Henley of Sonoma, from the Committee on Federal Relations, verbally reported back Senate Concurrent Resolution No. 22.

Read a third time and passed.

MOTIONS AND RESOLUTIONS.

Mr. King offered the following resolution :

Resolved, That the Speaker appoint a special committee of three to inquire into the subject matter embodied in the resolution passed on yesterday, with regard to the South San Francisco Homestead and Railroad Association, and report to this House

Adopted

The Speaker appointed as such committee, Messrs. King, Duffy and Lambert.

Mr. Horan offered the following resolution :

Resolved, That the two Porters of the Assembly, the two Porters of the committee rooms and the two Watchmen of the Assembly, be each allowed one dollar extra per diem, payable out of the Contingent Fund of the Assembly, during the session of the Legislature, and the Controller of State is hereby authorized to draw his warrants on the State Treasurer for said amounts

Adopted

Mr. Newell offered a resolution, that the Engrossing and Enrolling Clerks be allowed one week's extra pay for extra services during the session.

Mr. Martin of Butte moved to amend by inserting "Journal Clerk" Accepted.

Mr. Newell moved to suspend the rules, to act on the resolution now.

Mr. Martin of Siskiyou rose to a point of order, stating that the resolution could only be adopted by unanimous consent, under rule seventy-nine.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called

Quorum present

Consideration of the resolution offered by Mr. Newell resumed.

Mr. Martin of Siskiyou renewed his point of order.

Mr. Hubner moved to indefinitely postpone the resolution

Mr. Henley of Sonoma moved to lay the resolution on the table.

On which the ayes and noes were demanded by Messrs Andrews, Martin of Siskiyou and Henley of Sonoma, and the House refused, by the following vote:

AYES—Messrs Andrews, Berry, Carothers, Crigler, De Haven, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, Kelley, King, Martin of Siskiyou, McMurry of El Dorado, Merritt, Miller of Marin, Mooney, Munday, Scarce, Shores, Slicer, Thurston, Waldron, Young and Mr. Speaker—25

NOES—Messrs Appling, Brown of Yuba, Coronel, Duffy, Eichelroth, Escandon, Finney, Fortune, Freeman, Green, Griswold, Haile, Hawley, Horan, Johnson, Koutz, Lewelling, Martin of Butte, McClaskey, McMillan, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, Oates, O'Connell, Odell, Robinson, Romer, Shoemaker, Stephens, Thomas, Walden, Williams and York—35.

When the resolution was referred to the Committee on Contingent Expenses

SENATE MESSAGES.

On motion of Mr. Martin of Butte, the rules were suspended to take up the following Senate messages:

SENATE CHAMBER, }
April 1st. 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No 583—An Act to provide for the erection of a City Hall in the City and County of San Francisco.

ROBERTS,
Secretary.

SENATE CHAMBER, }
April 1st. 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on the thirty-first day of March, passed, under suspension of the rules, Senate Bill No 607—An Act to create a Board of Water Commissioners for the City of Los Angeles and to define their powers and duties.

Also, Senate Bill No. 329—An Act to authorize the construction of a railroad from the Town of Santa Clara to the City of San José, in the County of Santa Clara.

Also, amended and passed, under suspension of the rules, Assembly Bill No. 626—An Act concerning the County Recorder of the County of Santa Clara.

Also, amended and passed, under suspension of the rules, Assembly Bill No 659—An Act concerning roads and highways in the County of Sacramento.

Also, passed Assembly Bill No. 406—An Act to determine the lines and grades of streets, avenues, highways and lanes in the City and County of San Francisco.

Also, passed Assembly Bill No. 674—An Act for the relief of John Haines.

And Senate refused to concur in Assembly amendments, and concurred in Senate amendment reported by Senate to Senate Bill No 612—An Act concerning gas companies.

Also passed, under suspension of the rules, Senate Bill No. 308—An Act to appropriate money to pay the outstanding war bonds issued by the State of California under an Act of the Legislature, approved May third, eighteen hundred and fifty-two, and Acts supplementary thereto.

ROBERTS,
Secretary.

SENATE CHAMBER, }
April 1st. 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day passed, under suspension of the rules, and ordered transmitted immediately to the Assembly, Senate Bill No. 670—An Act to amend an Act declaring certain creeks in Marin County navigable, approved May seventeenth, eighteen hundred and sixty-one.

Also passed, under suspension of the rules, Assembly Bill No 698—An Act authorizing the issuance of State bonds to the amount of two hundred and fifty thousand dollars, to be known as State Capitol bonds.

ROBERTS,
Secretary.

SENATE CHAMBER,
April 1st, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, amended and passed Assembly Bill No. 657—An Act making appropriations for the support of the civil government of the State of California for the twenty-second and twenty-third fiscal years, commencing on the first of July, eighteen hundred and seventy, and ending on the thirtieth of June, eighteen hundred and seventy-two.

Also, amended and passed Assembly Bill No. 680—An Act making appropriations for the support of the several charitable institutions therein specified during the twenty-second and twenty-third fiscal years, commencing with the first day of July, A. D. eighteen hundred and seventy, and ending on the thirtieth day of June, A. D. eighteen hundred and seventy-two, inclusive.

Also passed, under suspension of the rules, Senate Bill No. 344—An Act for the relief of Francis McGrath

ROBERTS,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 308, above reported, read first and second times.
Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back and referred to the Committee on Claims.

Substitute for Senate Bill No. 607, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved

Senate Bill No. 670, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 329, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Assembly Bill No. 629, above reported. Senate amendments concurred in.

Assembly Bill No. 626, above reported, Senate amendments concurred in.

Senate Bill No. 612, above reported, the House receded from its amendments to the bill.

On motion of Mr. Gildea, the bill was returned to the Senate, to correct an error

Assembly Bill No. 627, above reported.

The House concurred in Senate amendments to the bill

Mr. Haile moved to reconsider the vote by which the House so concurred

On which the ayes and noes were demanded by the requisite number, and the motion prevailed, by the following vote:

AYES—Messrs. Andrews, Berry, Biggs, Blankenship, Brown of Amador, Carothers, Colonel, Crigler, Doss, Eichelroth, Fryer, Haile, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Inman, Johnson, Koutz, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Murphy of Del Norte and Klamath, Robinson, Satterwhite, Scarce, Shoemaker, Shores, Thomas, Thurston, York and Young—35.

NOES—Messrs. Brown of Yuba, Duffy, Fortune, Freeman, Gildea, Griswold, Hubner, Hudson, Kelley, King, Lambert, Martin of Butte, McClaskey, Merritt, Miller of Marin, Munday, Odell, Pool, Romer, Ryan, Sammons, Slicer, Stephens, Waldron and Williams—25.

Mr. G. R. B. Hayes moved the previous question.

Sustained.

The House then refused to concur in the Senate amendments to the bill, in reference to district fairs

On the Senate amendment appropriating eight thousand dollars to the State Agricultural Society, the ayes and noes were demanded by Messrs. Gildea, Mooney and Duffy, and the House refused, by the following vote :

AYES—Messrs Blankenship, Brown of Amador, Duffy, Finney, Fortune, Freeman, Gildea, Haile, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Horan, Kelley, King, Koutz, Lambert, Mooney, Murphy of Del Norte and Klamath, Odell, Pool, Rockwell, Romer, Ryan, Satterwhite, Stephens, Waldron, Williams and York—29

NOES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Carothers, Coronel, Crigler, Doss, Eichelroth, Fryer, Henley of Sonoma, Hibn. Hubner, Hudson, Inman, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, Merritt, Miller of El Dorado, Miller of Marin, Munday, Newell, Power, Robinson, Sammons, Scarce, Shores, Thomas, Thurston and Young—32.

The House refused to concur in all of the Senate amendments to the bill.

Assembly Bill No 680, above reported.

The House refused to concur in the Senate amendments

Senate Bill No. 344, above reported, read first and second times and ordered on file.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
April 1st, 1870. }

MR. SPEAKER : I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Senate Bill No. 671—An Act to amend an Act entitled an Act to organize and regulate townships in San Mateo County, and to define the respective powers, duties and compensation of county and township officers in certain cases, approved March twenty-second, eighteen hundred and sixty-six.

ROBERTS,
Secretary.

Senate Bill No. 671, above reported, read first and second times and ordered on file.

REPORT.

Mr. Horan, from the Committee on Claims, by leave, made the following report :

MR. SPEAKER : The Committee on Claims, to whom was referred Senate Bill No. 308—An Act appropriating money to pay the outstanding

Indian war bonds issued by the State of California under an Act of the Legislature, approved May third, eighteen hundred and fifty-two, and Acts supplementary thereto—have had the same under consideration, report it back and recommend its passage.

HORAN, Chairman.

Mr. Horan moved to suspend the rules, to place the bill on its passage.

Mr. Gildea moved the previous question.

Sustained.

The motion to suspend the rules was lost.

MOTIONS AND RESOLUTIONS.

Mr Biggs moved that when the House adjourn, it adjourn to meet to-night at seven o'clock.

Carried.

Mr Gildea, by leave, offered the following resolution :

Resolved, That the Standing and Special Committees of this House are hereby instructed to return all bills in their possession back to this House to-morrow morning

Adopted

Mr Gildea offered the following :

Resolved, That the Chief Clerk and Sergeant-at-Arms be allowed the sum of two dollars per day from the commencement of the session, for extra services, payable out of the Contingent Fund of the Assembly ; and that the Sergeant-at-Arms be and he is hereby requested to return to the Secretary of State, all property belonging to the State outside of the Capitol building

On the adoption of the resolution, the ayes and noes were demanded by Messrs. Haile, Slicer and Duffy, and it was adopted, by the following vote :

AYES—Messrs Blankenship, Brown of Yuba, De Haven, Doss, Duffy, Eichelroth, Finney, Fortune, Freeman, Gildea, Griswold, Henley of Mendocino, Henley of Sonoma, Horan, Inman, Kelley, King, Lambert, Martin of Butte, McClaskey, McMillan, Miller of Marin, Mooney, Munday, Murphy of Del Norte and Klamath, Naphtaly, Oates, O'Connell, Odell, Pool, Power, Rockwell, Romer, Ryan, Sammons, Satterwhite, Shoemaker, Stephens, Thurston, Williams and York—41.

NOES—Messrs Berry, Biggs, Carothers, Crigler, Green, Haile, Hubner, Hudson, Johnson, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Moynihan, Newell, Robinson, Shores, Slicer and Waldron—18.

Mr. Rockwell offered a resolution, as follows :

Resolved, That the Senate be requested to return to the Assembly, Senate Bill No 612, in order that an error in the history of the bill, as reported to the Senate from this House, may be corrected.

Adopted

Mr. Blankenship offered the following resolution :

Resolved, That the Enrolling Clerk is hereby directed to correct the following clerical errors in Assembly Bill No. 324—An Act concerning estrays and animals found running at large in the County of Santa Cruz. Insert the amendments adopted by the Assembly, February twenty-fifth, extending the provisions of the bill to the County of Monterey.

Adopted

Mr. Newell, from the Committee on Engrossment, made the following report :

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 681—An Act to provide for the improvement of a certain part of the City and County of San Francisco

NEWELL, for Committee.

Mr. O'Connell offered a resolution, to allow Marks Gruschinsky, Assembly Postmaster, one dollar a day extra pay.

Mr. Biggs offered an amendment, to allow all the attachés one dollar extra.

Mr. Duffy offered to amend as follows :

Resolved, That Mr. Johnson, the Chaplain of the Assembly, be and is hereby allowed two dollars per diem extra pay during the session.

On motion of Mr. Biggs, the whole subject was laid on the table.

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

EVENING SESSION.

At seven o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

REPORTS.

Mr. McMurry of Trinity, from the Committee on Contingent Expenses, made the following reports :

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred a resolution allowing George Bingham one dollar per day for hoisting the American flag, have had the same under consideration, and herewith report the same back and recommend its passage.

McMURRY (of Trinity), Chairman.

MR. SPEAKER: Your Committee on Contingent Expenses, to whom was referred a resolution allowing E. W. Brown and W. C. Holt the same per diem allowed the Journal and Copying Clerks, have had the same under consideration, and find their demands to be just and proper, and therefore recommend the adoption of the resolution.

McMURRY, of Trinity.
FRYER,
HENLEY, of Sonoma.

Resolved, That George Bingham be and he is hereby allowed one dollar per day for services rendered in hoisting the American flag daily on the dome of the Capitol, and the Controller is hereby directed to draw his warrant on the Contingent Fund of the Assembly to pay the same.

Adopted

Resolved, That for and in consideration of the onerous labors performed by E. W. Brown, Assistant Journal Clerk, and W. C. Holt, Assistant Copying Clerk, appointed to said positions by the Chief Clerk on the eleventh day of January, A. D. eighteen hundred and seventy, they are hereby allowed a per diem equal to that of the Journal and Copying Clerks, and the Controller of State is hereby required to draw his warrants on the Contingent Fund of the Assembly, severally, in favor of said E. W. Brown and W. C. Holt, for the difference between six and eight dollars per diem, from and including the eleventh day of January last to the close of the session.

Adopted.

The following resolutions, returned by the Committee on Contingent Expenses without recommendation, were taken up :

Resolved, That the Engrossing and Enrolling Clerks, and the Journal Clerk of the Assembly, be allowed one week's extra pay for extra services rendered during the eighteenth session of the Legislature, and that the Controller of State be directed to draw his warrants on the State Treasurer for said extra pay, payable out of the Contingent Fund of the Assembly.

On motion of Mr. Waldron, the resolution was indefinitely postponed.

Resolved, That the Clerk of the Committee on Ways and Means, H. Dorsey Gough, be and he is hereby allowed, payable out of the Contingent Fund of the Assembly, one dollar per day for each and every day of the present session of the Assembly, in addition to the amount already allowed him by resolution of this House; and the Controller is directed to draw his warrant for said additional sum, and the Treasurer to pay the same.

Mr. Martin of Siskiyou moved to indefinitely postpone the resolution.

Mr. Naphtaly moved the previous question

Sustained

On the question to indefinitely postpone, the ayes and noes were demanded by Messrs. M. Hayes, Thomas, and Murphy of Santa Clara, and the House refused, by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Coroneel, Crigler, De Haven, Doss, Duffy, Fryer, Haile, Hudson, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Munday, Robinson, Scarce, Shores. Slicer and Waldron—25.

NOES—Messrs. Appling, Eichelroth, Finney, Fortune, Freeman, Gildea, Green, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Koutz, Lambert, Moynihan, Murphy of Santa Clara, Naphtaly, O'Connell, Odell, Power, Romer, Sammons, Shoemaker, Stephens, Thomas, York and Mr. Speaker—30.

On the passage of the resolution, the ayes and noes were demanded by Messrs. Moynihan, O'Connell and M. Hayes, and it passed by the following vote :

AYES—Messrs. Appling, Carothers, Eichelroth, Finney, Fortune, Freeman, Gildea, Green, Griswold, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Hihn, Horan, Johnson, King, Koutz, Lambert, Merritt, Moynihan, Murphy of Santa Clara, Naphtaly, O'Connell, Odell, Romer, Sammons, Shoemaker, Stephens, Thomas, York and Mr Speaker—31

NOES—Messrs. Andrews, Berry, Biggs, Brown of Yuba, Coronel, Crigler, De Haven, Duffy, Fryer, Haile, Hubner, Hudson, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Munday, Robinson, Scarce, Shores, Slicer, Thurston and Waldron—26.

Mr. Miller of El Dorado offered the following resolutions :

Resolved, That the Assistant Clerk at the desk, E. L. Crawford, shall receive two dollars per day, from the first day of the session, in addition to the pay allowed by law, payable out of the Contingent Fund of the Assembly, and the Controller is directed to draw his warrant for the same.

Adopted.

Resolved, That Newton Benedict, Minute Clerk, be allowed two dollars per day, during this session, for services rendered beyond his official duties, in various ways; and the Controller of State is hereby directed to draw his warrant on the Contingent Fund of the Assembly for the payment of the same.

Adopted.

Mr. Thurston moved to suspend the rules to take up Senate messages.
Lost.

INTRODUCTION OF BILLS

Mr. M. Hayes, by leave, introduced a bill for an Act to amend an Act entitled an Act to provide for the paving the streets in the City and County of San Francisco, approved March fourteenth, eighteen hundred and sixty eight

Read first and second times, rules suspended bill considered engrossed, by unanimous consent read a third time and passed, and ordered to be immediately transmitted to the Senate.

By Mr. McClaskey—An Act granting to the California Pacific Railroad Company the right to extend their passenger wharf, on the Straits of Carquinez

Read first and second times and ordered on file.

REPORTS.

Mr. Finney, from the Committee on Engrossment, made the following report :

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 740—An Act amendatory of and supplementary to an Act to provide for

the continuance and election of a Board of Supervisors for San Mateo County, and to define and limit the powers of said Board in certain cases, approved March twenty-fourth, eighteen hundred and sixty-four

FINNEY, for Committee.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following reports :

Mr. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 452—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

And this day, at one o'clock and thirty minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 714—An Act to provide for the funding of the indebtedness of Levee District Number One, of Sutter County.

Also, Assembly Bill No. 586—An Act to provide for the removal of the Danville District School-house, in Contra Costa County.

Also, Assembly Bill No. 716—An Act to amend an Act entitled an Act to provide for changing the commencement of the term of office of the District Attorney of Yuba County.

Also, Assembly Bill No. 517—An Act to provide for a charter for the City and County of San Francisco.

Also, Assembly Bill No. 710—An Act concerning the Road Fund of certain districts in Placer County.

Also, Assembly Bill No. 621—An Act to amend an Act entitled an Act in relation to public roads in the County of Amador, and to the Road Fund of said county.

Also, Assembly Bill No. 463—To authorize the Treasurer of Sutter County to transfer money from the General Fund to the Hospital Fund of said county.

Also, Assembly Bill No. 690—An Act concerning the Magdalen Asylum of the City and County of San Francisco.

Also, Assembly Bill No. 634—An Act authorizing the County Treasurer of the County of Santa Clara to pay certain claims against said county.

Also, Assembly Bill No. 97—An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof.

Also, substitute for Assembly Bill No. 122—An Act to amend an Act entitled an Act defining the legal distance from each county seat to the Capital, Lunatic Asylum and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

Also, Assembly Bill No. 525—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

And this day, at twelve o'clock M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. Slicer, from the Committee on Education, made the following report:

Mr. SPEAKER: The Committee on Education, to whom was referred Senate Bill No. 637—An Act amendatory of and supplementary to an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Petaluma—beg leave to report that we have had the same under consideration, and a majority recommend that it be indefinitely postponed.

SLICER, Chairman.

Mr. Freeman, from the Committee on Enrolment, made the following report:

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 698—An Act authorizing the issuance of State bonds to the amount of two hundred and fifty thousand dollars, to be known as State Capitol bonds.

And this day, at five o'clock P. M., presented the same to the Governor for his approval.

FREEMAN, for Committee.

Mr. Eichelroth moved to reconsider the vote by which the House refused to pass Assembly Bill No. 187—An Act for the relief of Caleb Dorsey, District Attorney of Tuolumne County.

Under the operation of the previous question, on the motion to reconsider, the ayes and noes were demanded by Messrs. Waldron, Ryan and Berry, and the vote was reconsidered, by the following vote:

AYES—Messrs. Appling, Biggs, Carothers, Crigler, De Haven, Doss, Eichelroth, Escandon, Fortune, Freeman, Fryer, Griswold, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Johnson, King, Lambert, Martin of Butte, McClaskey, McMillan, McMurry of El Dorado, Merritt, Miller of Marin, Mooney, Moynihan, Murphy of Santa Clara, Naphtaly, Newell, Oates, Odell, Pool, Rockwell, Romer, Ryan, Satterwhite, Shoemaker and Stephens—41

NOES—Messrs. Andrews, Berry, Blankenship, Calderwood, Coronel, Duffy, Finney, Green, Haile, Hihn, Hubner, Hudson, Inman, Koutz, Lewelling, Martin of Siskiyou, McMurry of Trinity, Munday, Robinson, Sammons, Scarce, Shores, Slicer, Thomas, Waldron and York—26.

When the bill passed; title approved

Mr. Doss, by leave, introduced a bill for an Act to submit to the qualified voters of Kern County the question of the removal of the county seat

Read first and second times and, by unanimous consent, rules suspended, read a third time and passed; title approved

By Mr. Horan—An Act to amend an Act, approved May twenty-fifth, eighteen hundred and sixty-three, entitled an Act providing for the government of the County of Sacramento.

Read first and second times, rules suspended and, by unanimous consent, read a third time and passed; title approved.

GENERAL FILE.

Substitute for Senate Bills Nos. 143 and 107—An Act to provide for the restoration and preservation of fish in the waters of this State.

Read a third time and passed; title approved

Mr. Biggs moved to reconsider the vote by which the House refused to pass Senate Bill No. 562.

Mr. G. R. B. Hayes moved the previous question

Sustained.

On the motion to reconsider, the ayes and noes were demanded by Messrs. Gildea, Stephens and Berry, and the House refused, by the following vote:

AYES—Messrs. Appling, Biggs, Brown of Yuba, Calderwood, Duffy, Eichelroth, Fortune, Freeman, Gildea, Griswold, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Horan, Johnson, King, McClaskey, Merritt, Mooney, Moynihan, Oates, Odell, Stephens and Waldron—14

NOES—Messrs. Andrews, Berry, Blankenship, Carothers, Coronel, Crigler, De Haven, Finney, Fryer, Green, Haile, Hawley, Henley of Sonoma, Hihn, Hubner, Hudson, Inman, Koutz, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McMillan, McMurry of El Dorado, Miller of El Dorado, Miller of Marin, Munday, Murphy of Santa Clara, Naphtaly, Newell, Power, Robinson, Romer, Satterwhite, Scarce, Shoemaker, Shores, Slicer, Thomas, Thurston, Walden, Williams and York—43.

Senate Bill No. 308—An Act to appropriate money to pay the outstanding war bonds issued by the State of California under an Act of the Legislature, approved May third, eighteen hundred and sixty-two, and Acts supplementary thereto.

Read a third time, by unanimous consent, and passed; title approved.

Assembly Bill No. 448—An Act concerning the tide lands in the Bay of San Diego.

Amended.

Mr. Berry moved to indefinitely postpone the bill

Lost

Rules suspended, bill considered engrossed, read a third time and passed; title approved

At nine o'clock and ten minutes P. M., Mr. Martin of Siskiyou moved to adjourn.

On which the ayes and noes were demanded by Messrs. Martin of Siskiyou, Duffy and Gildea, and the House refused, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Brown of Amador, Brown of Yuba, Duffy, Escandon, Finney, Green, Hubner, Hudson, Johnson, Martin of Butte, Martin of Siskiyou, Merritt, Mooney, Moynihan, Murphy of Santa Clara, Odell, Shoemaker, Shores, Slicer, Thomas, Walden and Waldron—25

NOES—Messrs. Biggs, Blankenship, Calderwood, Carothers, Coronel, Crigler, De Haven, Eichelroth, Fortune, Freeman, Fryer, Gildea, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Inman, King, Koutz, Lewelling, McClaskey, McMillan, McMurry of El Dorado, Miller of El Dorado, Miller of Marin, Naphtaly, Oates, Pool, Power, Romer, Ryan, Sammons, Satterwhite, Scarce, Stephens, Thurston, Williams and York—42.

Senate Bill No. 554—An Act to extend the time allowed the Southern Pacific Railroad Company and the Western Pacific Railroad Company in which to make the terminus of their roads upon certain lands donated

to them by the State for that purpose in the City and County of San Francisco

Mr. Slicer moved to indefinitely postpone the bill.

Lost.

On the passage of the bill, the ayes and noes were demanded by Messrs Gildea, Slicer and Shores, and it passed, by the following vote :

AYES—Messrs. Appling, Biggs, Blankenship, Calderwood, Coronel, De Haven, Duffy, Eichelroth, Escandon, Finney, Fortune, Fryer, Gildea, Green, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Hihn, Horan, Hubner, Hudson, Johnson, King, Lambert, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMillan, McMurry of El Dorado, Mooney, Moynihan, Munday, Murphy of Santa Clara, Oates, Pool, Rockwell, Romer, Ryan, Sammons, Satterwhite, Shoemaker, Thomas, Walden, Waldron, Williams and York—48

NOES—Messrs. Andrews, Berry, Crigler, M. Hayes, Inman, Koutz, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Newell, O'Connell, Odell, Power, Slicer and Thurston—18.

Title approved.

Mr Gildea gave notice of a motion to reconsider the vote by which the bill passed.

Senate Bill No. 85—An Act the better to secure the collection of license taxes in the City and County of San Francisco

Mr. Ryan moved to strike out the enacting clause of the bill.

Mr. Berry moved to indefinitely postpone the bill.

Mr. Naphtaly moved the previous question.

Sustained.

The House refused to adopt the motion of Mr. Berry, upon a demand for the ayes and noes by the requisite number, by the following vote :

AYES—Messrs Andrews, Berry, Brown of Yuba, Crigler, Green, Hudson, Koutz, Martin of Siskiyou, McMillan, Moynihan, Oates, O'Connell, Odell, Ryan, Sammons, Thomas, Thurston and Waldron—18.

NOES—Messrs. Appling, Biggs, Coronel, Eichelroth, Finney, Freeman, Griswold, Haile, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Horan, Johnson, King, Lambert, McClaskey, McMurry of El Dorado, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Newell, Pool, Robinson, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Stephens and Walden—34.

On the passage of the bill, Messrs. Moynihan, O'Connell and Ryan demanded the ayes and noes, and it passed, by the following vote :

AYES—Messrs. Appling, Biggs, Coronel, Eichelroth, Fortune, Freeman, Griswold, Haile, Hawley, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Horan, Johnson, King, Lambert, McClaskey, McMurry of El Dorado, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Del Norte and Klamath, Naphtaly, Newell, Oates, O'Connell, Pool, Robinson, Rockwell, Romer, Satterwhite, Scarce, Shoemaker, Shores, Stephens and Walden—36.

NOES—Messrs Andrews, Berry, Crigler, Finney, Fryer, Hudson, Koutz, Martin of Siskiyou, McMillan, Munday, Odell, Power, Ryan, Sammons, Thomas, Thurston and Waldron—17.

At ten o'clock and ten minutes P. M., on motion of Mr. Finney, the House adjourned.

GEO. H. ROGERS,
Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, April 2d, 1870 }

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Rev. Mr. Gober

On motion of Mr. Naphtaly, the reading of the journal was dispensed with, and the Speaker and Clerk authorized to examine and certify to the same, if correct.

REPORTS.

Mr Kelley, from the Committee on Agriculture, made a report, as follows:

Mr. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bills Nos. 470, 636, 124, 339, and Senate Bill No 397—beg leave to respectfully report the same back without recommendation.

KELLEY, Chairman.

Mr. Naphtaly, Chairman of the Judiciary Committee, verbally reported back Senate Bill No. 198, recommending its passage

Mr. Naphtaly offered a resolution, by leave, as follows:

Resolved, That all rules be suspended and that the consideration of bills under the roll-call be now had, to continue until twelve M, when the House shall consider messages from the Governor and messages from the Senate; that the consideration of bills be renewed at half-past one o'clock P. M. and continued until the roll of members has been gone through with. But, pending the consideration of the bills, no motion foreign to the subject shall be entertained, and no bill shall be discussed for more than five minutes on either side.

Adopted.

GENERAL FILE.

Senate Bill No 665—An Act supplementary to an Act entitled an Act to provide for compensating parties whose property may be destroyed in consequence of mobs or riots, approved March twenty-seventh, eighteen hundred and sixty-eight

Mr. Hihn moved to indefinitely postpone the bill.

Lost.

On the passage of the bill, the ayes and noes were demanded by Messrs. Shoemaker, Berry and Haile, and it passed, by the following vote :

AYES—Messrs. Appling, Biggs, Blankenship, Brown of Amador, Colonel, Crigler, Doss, Escandon, Fortune, Gildea, Green, Griswold, Haile, M. Hayes, Henley of Mendocino, Henley of Sonoma, Hubner, Johnson, Kelley, Martin of Butte, McMurry of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Naphtaly, O'Connell, Odell, Pool, Satterwhite, Stephens, Walden, Young and Mr. Speaker—35

NOES—Messrs. Berry, Carothers, De Haven, Finney, Fryer, Hihn, Hudson, Inman, Koutz, Lewelling, McMurry of Trinity, Miller of El Dorado, Power, Sammons, Scarce, Shoemaker and Waldron—17.

Assembly Bill No 736—An Act to provide for the maintenance of the indigent sick in the County Hospital of Sacramento County.

Mr. Horan offered a substitute.

Adopted.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back and indefinite postponement recommended.

The bill was indefinitely postponed.

Senate Bill No 622—An Act to provide for the construction of a wagon road from and to Yosemite Valley and Big Tree Grove.

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY.

Reported back and indefinite postponement recommended.

The recommendation was concurred in.

Assembly Bill No 519—An Act to grant certain salt marsh and tide lands to the inhabitants of the Town of Santa Cruz.

Mr. Martin of Butte moved to indefinitely postpone

Carried

Mr. Williams moved to reconsider the vote by which Senate Bill No. 554 passed.

Mr. Satterwhite moved to indefinitely postpone the motion to reconsider

Mr. Naphtaly moved the previous question.

Sustained.

On the motion to indefinitely postpone, the ayes and noes were demanded by Messrs. Gildea, Berry and Waldron, and it prevailed, by the following vote :

AYES—Messrs. Biggs, Blankenship, Brown of Amador, Brown of Yuba, Calderwood, Crigler, De Haven, Doss, Eichelroth, Escandon, Finney, Freeman, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, Johnson, Kelley, King, Martin of Butte, McClaskey, Mooney, Murphy of Del Norte and Klamath, Oates, Romer, Ryan, Satterwhite, Waldron, Williams, York, Young and Mr. Speaker—35.

NOES—Messrs. Andrews, Appling, Berry, Carothers, Duffy, Gildea, Hihn, Koutz, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Miller of Marin, Munday, Naphtaly, Pool, Power, Sammons, Slicer, Thomas and Thurston—19.

Assembly Bill No. 601—An Act to amend an Act entitled an Act to amend sections seven, five hundred and thirty-five and five hundred and forty-one of an Act entitled an Act to regulate proceedings in civil cases in Courts of justice in this State.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 579—An Act to pay for services rendered to the State in determining the character of certain lands in San Joaquin County, claimed by the State as swamp and overflowed lands.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back without recommendation.

Mr. Martin of Siskiyou moved to indefinitely postpone the bill.

On which the ayes and noes were demanded by Messrs Berry, Haile, and Martin of Siskiyou, and the House refused, by the following vote:

AYES—Messrs. Berry, Biggs, Blankenship, Brown of Amador, Coronel, Eichelroth, Escandon, Freeman, Fryer, Haile, Inman, Lambert, Martin of Siskiyou, McClaskey, Merritt, Mooney, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Odell, Satterwhite, Scarce, Thomas and Young—23.

NOES—Messrs. Andrews, Appling, Carothers, Crigler, Duffy, Green, Griswold, Henley of Mendocino, Hihn, Hubner, Hudson, Johnson, Kelley, Koutz, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Naphtaly, Newell, Oates, Pool, Power, Rockwell, Ryan, Sammons, Shoemaker, Shores, Slicer, Thurston, Waldron, Williams, York and Mr. Speaker—34.

Mr. Hubner moved to suspend the rules, to place the bill on its passage.

On which the ayes and noes were demanded by the requisite number, and the motion prevailed, by the following vote:

AYES—Messrs. Andrews, Appling, Biggs, Calderwood, Carothers, Crigler, Duffy, Eichelroth, Freeman, Gildea, Green, Henley of Mendocino, Hihn, Hubner, Hudson, Johnson, Kelley, Koutz, Lambert, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Moynihan, Munday, Naphtaly, Newell, Oates, Pool, Power, Sammons, Scarce, Shoemaker, Slicer, Thurston, Waldron, Williams, Young and Mr. Speaker—39.

NOES—Messrs. Berry, Coronel, Escandon, Finney, Fryer, Haile, Inman, Lewelling, Martin of Siskiyou, McClaskey, Merritt, Mooney, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Rockwell, Satterwhite, Shores and Thomas—18.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

REPORTS OF COMMITTEES.

Assembly Bill No. 502 was reported from the Committee on Roads and Highways, without recommendation.

Assembly Bill No. 399 was reported from the Committee on Public Buildings and Grounds, without recommendation.

Assembly Bill No. 287 was reported from the Committee on Immigration, without recommendation

Mr. Naphtaly, from the Judiciary Committee, made the following reports :

Mr. SPEAKER : The Judiciary Committee, to whom was referred Senate Bill No. 259—An Act to amend an Act defining the time of commencing civil actions, approved April twenty-second, eighteen hundred and fifty—recommend its passage.

Also, Senate Bill No. 152—An Act amendatory of an Act, passed May seventh, eighteen hundred and fifty-five, entitled an Act to amend an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-seven—and recommend its indefinite postponement

They recommend the passage of Senate Bill No. 642—An Act to change the terms of the Thirteenth Judicial District of the State of California, in and for the Counties of Tulare, Fresno and Mariposa.

Also, of Senate Bill No. 241—An Act defining the time for commencing civil actions, approved April twenty-second, eighteen hundred and fifty.

Also, substitute for Senate Bill No. 167—An Act to extend the operation of the Act concerning trade marks and names, passed April eighth, eighteen hundred and sixty-three.

They recommend the indefinite postponement of Assembly Bill No. 712, Senate Bill No. 656, Senate Bill No. 141, Senate Bill No. 218, Assembly Bill No. 78, Assembly Bill No. 488, Senate Bill No. 93, Assembly Bill No. 315, Assembly Bill No. 197, Assembly Bill No. 549.

The committee also report that, under instructions of the House, they have inquired into the matter of the revision of the laws of this State, which was authorized by the Act entitled an Act to provide for the revision and compilation of the laws of the State of California and the publication thereof, approved March twenty-eighth, eighteen hundred and sixty-eight, and inasmuch as this Legislature has repealed that Act and passed one providing for the codification of the laws, under other Commissioners to be appointed by the Governor of this State, the committee return to the House the resolutions under which they acted, without making any further recommendation.

All of which is respectfully submitted

NAPHTALY, Chairman.

Mr. SPEAKER : The Judiciary Committee, to whom was referred substitute for Senate Bill No. 406—An Act supplemental to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets, approved March thirtieth, eighteen hundred and sixty-eight—respectfully report that they have considered said bill, and recommend that it do not pass. Said bill will interfere with the rights of parties that have become fixed under the Act to which this is supplementary, and is therefore unconstitutional.

NAPHTALY, Chairman.

Mr. SPEAKER : The Judiciary Committee, to whom Assembly Bill No. 179, Assembly Bill No. 279, Senate Bill No. 358, Assembly Bill No. 105, Assembly Bill No. 185, Assembly Bill No. 173 and Assembly Bill No. 19 were referred, respectfully report that they have considered said bills and recommend their indefinite postponement.

NAPHTALY, Chairman.

On motion, the recommendations of the committee in reference to the above reported bills were concurred in.

Mr. Slicer, from the Committee on Education, made the following report :

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 215—An Act to establish and define the powers and duties of the Board of Education, and of the City Superintendent of Common Schools, of the City of Los Angeles—report that they have had the same under consideration, and report the same back and recommend that the same be indefinitely postponed.

SLICER, Chairman

Mr. Crigler, from the Napa delegation, made the following report :

MR. SPEAKER: Your committee, to whom was referred Senate Bill No. 487—An Act to repeal an Act entitled an Act amendatory to an Act to prevent certain animals from running at large in Napa City, approved April seventeenth, eighteen hundred and sixty-three—report the same back and recommend it do not pass.

CRIGLER, for Delegation.

Mr. Eichelroth, from the Committee on State Hospitals, made the following report :

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 261—An Act concerning the Insane Asylum of this State—report the same back.

EICHELROTH, Chairman.

Mr. Merritt, from the Yuba delegation, made the following report :

MR. SPEAKER: The Yuba delegation, to whom was referred Assembly Bill No. 726—An Act to confer additional powers on the Board of Supervisors of Yuba County—respectfully report that they have had the same under consideration, and report the same back without recommendation.

MERRITT, for Delegation.

GENERAL FILE CONTINUED.

Assembly Bill No. 495—An Act regulating the collection of delinquent taxes in the County of Alameda.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 545—An Act for the relief of J. J. McCredy.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 290—An Act to amend the Constitution.

Amended.

Read a third time.

On the passage of the bill, the roll was called, and it passed, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Yuba, Carothers, Colonel, Crigler, Doss, Duffy, Eichelroth, Escandon, Fortune, Freeman, Gildea, Green, Griswold, Haile, Henley of Sonoma, Hubner, Hudson, Johnson, Kelley, King, Lambert, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of Marin, Mooney, Moynihan, Munday, Murphy of Del Norte and Klamath, Murphy of Santa Clara, Naphtaly, Newell, O'Connell, Odell, Pool, Robinson, Rockwell, Ryan, Satterwhite, Scarce, Shores, Thomas, Thurston, Waldron, Williams, Young and Mr. Speaker—53

NOES—Messrs. Brown of Amador, Koutz, McClaskey and Sammons—4.

Title approved.

Senate Bill No. 319—An Act to authorize parties herein named the right to construct a wharf in the City of Solano

Read a third time and passed; title approved.

Assembly Bill No. 104—An Act concerning corporations for charitable and beneficial purposes

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 671—An Act concerning taxes on certain kinds of live stock and vehicles in the County of Sierra.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

REPORTS.

Mr. Lewelling, from the Committee on Engrossment, made the following report:

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 418—An Act to obtain and preserve genuine vaccine matter, and to provide for the vaccination of the children of this State.

LEWELLING, for Committee.

Mr. Freeman, from the Committee on Enrolment, made the following report:

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 659—An Act concerning roads and highways in the County of Sacramento.

Also, Assembly Bill No. 739—An Act concerning water courses in the City of Los Angeles.

And this day, at ten o'clock and thirty minutes A. M., presented the same to the Governor for his approval.

FREEMAN, for Committee.

SENATE MESSAGES.

The following messages were received from the Senate:

SENATE CHAMBER, }
April 1st, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Senate Bill No. 419—

—An Act granting certain lands in the City and County of San Francisco to the Potrero and Bay View Railroad Company.

ROBERTS,
Secretary.

SENATE CHAMBER, }
April 1st, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Senate Bill No. 633—An Act to authorize the Trustees of the Calistoga School District, in the County of Napa, to issue bonds for certain purposes.

Also, Senate Bill No. 532—An Act to amend an Act entitled an Act amendatory of article fourth of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six, repealing sections thirty-six to sixty-four, inclusive, and Acts and parts of Acts amendatory and supplementary thereof, and instituting this Act for said article fourth, approved April twenty-fifth, eighteen hundred and sixty-two.

Also, Senate Bill No. 650—An Act to confer additional power on the Board of Supervisors of the City and County of San Francisco.

Also, amended and passed Senate Bill No. 573—An Act to authorize Robert McHenry, administrator of the estate of Henry Longworth, deceased, to sell the real estate of said estate

Also, passed Senate Bill No. 614—An Act to establish and define the powers and duties of the Secretary of the Board of Education of the City and County of San Francisco.

Also, amended and passed Senate Bill No. 463—An Act to regulate appeals from Justices' Courts to the County Court of the City of San Francisco.

Also, amended and passed Senate Bill No. 483—An Act to authorize the Superintendent of Public Streets, Highways and Squares of San Francisco to issue an assessment to Michael Corniff for street work done by him.

Also, passed Senate Bill No. 376—An Act to incorporate the Town of Alameda.

Also, passed Senate Bill No. 635—An Act relating to the County Assessor of Monterey County

And refused to recede from its amendments to Assembly Bill No. 680—An Act making appropriations for the support of the several charitable institutions therein specified, during the twenty-second and twenty-third fiscal years, commencing with the first day of July, A. D. eighteen hundred and seventy, and ending with the thirtieth day of June, A. D. eighteen hundred and seventy-two—and appoints as Committee of Conference, Messrs. Banvard, Mandeville and Perkins.

Also, refused to recede from its amendments to Assembly Bill No. 657—An Act making appropriations for the support of the civil Government of the State of California for the twenty-second and twenty-third fiscal years, commencing on the first of July, eighteen hundred and seventy, and ending on the thirtieth of June, eighteen hundred and seventy-two—and appoints as a Committee of Conference, Messrs. Mandeville, Banvard and Perkins. on part of Senate.

MARDIS,
Assistant Secretary.

SENATE CHAMBER. }
April 2d, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, indefinitely postponed Assembly Bill No. 437—An Act granting the right to construct and maintain a railroad in certain streets therein named in the City and County of San Francisco.

Also, indefinitely postponed Assembly Bill No. 178—An Act to ratify and confirm a certain ordinance of the City and County of San Francisco, and proceedings thereunder.

Also, indefinitely postponed Assembly Bill No. 465—An Act to provide for a street railroad in the City and County of San Francisco.

Also, indefinitely postponed Assembly Bill No. 26—An Act to empower Charles A. Yancey, guardian of Minnie Augusta and William Block, to sell certain real estate described.

Also, indefinitely postponed Assembly Bill No. 483—An Act for the relief of Anna Virginia Wakeman

Also, indefinitely postponed Assembly Bill No. 84—An Act to declare Adela Thompson of lawful age.

Also, indefinitely postponed Assembly Bill No. 10—An Act to alter the judicial districts and to create the Eighteenth Judicial District.

Also, indefinitely postponed Assembly Bill No. 461—An Act concerning Justices of the Peace in the City of Stockton.

Also, indefinitely postponed Assembly Bill No. 217—An Act to provide for the improvement of the navigation of the Russian River, and to declare said river a navigable stream.

Also, permitted the withdrawal of Assembly Bill No. 532—An Act granting to certain persons therein named the right to build and maintain a railroad track in the City and County of San Francisco and the Counties of San Mateo and Santa Cruz, and to empower said city and county and said counties to aid in the construction of said road

Also, passed Assembly Bill No. 415—An Act to decrease the expenses of land litigation in the City and County of San Francisco

Also, passed Assembly Bill No. 700—An Act to provide for the payment of certain claims against the Second Township of the County of San Mateo.

Also, amended and passed Assembly Bill No. 681—An Act to provide for the improvement of a certain part of the City and County of San Francisco.

MARDIS,
Assistant Secretary.

SENATE CHAMBER. }
April 1st, 1870 }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, amended and passed, under suspension of the rules, Senate Bill No. 212—An Act to authorize the Board of State Harbor Commissioners to lease a portion of the water front in the City and County of San Francisco.

MARDIS,
Assistant Secretary.

SENATE CHAMBER. }
April 1st, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Senate Bill No. 620—An Act amendatory of and

supplemental to an Act entitled an Act to repeal the several Acts incorporating the City of Benicia, and to provide for the government thereof, approved April eighteenth, eighteen hundred and fifty-nine.

MARDIS,
Assistant Secretary.

SENATE CHAMBER, }
April 1st, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Senate Bill No. 497—An Act entitled an Act to provide for the payment of fees to witnesses in criminal cases in the County of Nevada

Also, passed Senate Bill No 467—An Act to regulate the fees of Justices and Constables in Placer County.

Also, adopted and passed, under suspension of the rules, substitute for Senate Bill No 433—An Act to ratify and confirm ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco, and proceedings had thereunder.

Also, passed, under suspension of the rules, Senate Bill No 586—An Act to provide for the construction of a wagon road in the County of Lake.

Also, passed, under suspension of the rules, Senate Bill No. 404—An Act to amend an Act entitled an Act to incorporate the Town of Santa Barbara, approved February tenth, eighteen hundred and sixty-four.

Also, passed as amended, under suspension of the rules, Senate Bill No. 592—An Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings and to purchase a site for the same.

Also, passed, under suspension of the rules, Senate Bill No. 598—An Act to incorporate the Town of Colusa

ROBERTS,
Secretary.

SENATE CHAMBER, }
April 1st, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, adopted Senate Concurrent Resolution No. 64—Relative to correcting error in Senate Bill No 568—An Act to incorporate the City of Stockton.

Also, passed Senate Bill No 600—An Act for the relief of certain orphan asylums.

Also, Assembly Bill No. 739—An Act concerning water courses in the City of Los Angeles.

Also, Assembly Bill No. 717—An Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara, in certain cases.

Also, Assembly Bill No. 476—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
April 2d, 1870 }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on yesterday, amended and passed, under suspension of the rules, Senate Bill No. 255—An Act to amend an Act entitled an Act to authorize the construction of a railroad from the City of San José to the Town of Santa Clara, passed March twenty-fourth, eighteen hundred and sixty-eight

Also, passed Senate Bill No. 362—An Act to grant certain persons the right of way for a railroad track partly within the County of San Francisco and partly the County of San Mateo, and to run horse cars thereon.

Also, passed Senate Bill No. 563—An Act to amend an Act entitled an Act to provide for the transfer of certain funds in the County of Placer.

Also, passed Senate Bill No. 478—An Act to fix the amount of the official bond of the Tax Collector of Del Norte County.

Also, passed Senate Bill No. 520—An Act to authorize Daniel Harback to construct a chute and moorings at or near Stewart's Point and collect tolls for the use thereof.

Also, on this day, amended and passed, under suspension of the rules, substitute for Assembly Bill No. 733—An Act to fix the rate of taxation for State purposes.

Also, on April first, passed Senate Bill No. 654—An Act to relieve owners of encumbered real estate from double taxation.

ROBERTS,
Secretary.

CONSIDERATION OF SENATE MESSAGES

The Speaker appointed as Committee of Free Conference, on the part of the House, on Assembly Bill No. 680, Messrs Lambert, Naphtaly and Koutz, and on Assembly Bill No. 657, Messrs Martin of Siskiyou, Biggs and Lewelling.

Senate Bill No. 419, above reported, read first and second times and ordered on file.

Senate Bill No. 614—An Act to establish and define the powers of the Secretary of the Board of Education in San Francisco.

Read first and second times, by unanimous consent read a third time and passed; title approved.

Senate Bill No. 603, above reported, read first and second times and ordered on file

Senate Bill No. 532, above reported, read first and second times and ordered on file

Senate Bill No. 650, above reported, read first and second times and ordered on file.

Senate Bill No. 573, above reported, read first and second times and ordered on file.

Senate Bill No. 463, above reported, read first and second times and ordered on file.

Senate Bill No. 483, above reported, read first and second times and ordered on file.

Senate Bill No. 635, above reported, read first and second times and ordered on file.

Assembly Bill No. 681, above reported, Senate amendments concurred in.

Senate Bill No. 620, above reported, read first and second times and ordered on file

Senate Bill No. 212, above reported, read first and second times and ordered on file.

Senate Bill No. 404, above reported, read first and second times and ordered on file.

Senate Bill No. 592, above reported, read first and second times and ordered on file.

Senate Bill No. 586, above reported, read first and second times and ordered on file.

Senate Bill No. 598, above reported, read first and second times and ordered on file.

Substitute for Senate Bill No. 433, above reported, read first and second times and ordered on file

Senate Bill No. 497, above reported, read first and second times and ordered on file

Senate Bill No. 467, above reported, read first and second times and ordered on file

Senate Bill No. 600, above reported, read first and second times and ordered on file

Senate Bill No. 376, above reported, read first and second times and ordered on file.

Senate Bill No. 654, above reported, read first and second times and ordered on file.

Senate Bill No. 362, above reported, read first and second times and ordered on file

Senate Bill No. 563, above reported, read first and second times and ordered on file.

Senate Bill No. 478, above reported, read first and second times and ordered on file.

Senate Bill No. 520, above reported, read first and second times and ordered on file.

Senate Concurrent Resolution No. 64, above reported, read first and second times, by unanimous consent read a third time and adopted.

Senate Bill No. 256, above reported, read first and second times and referred to the Santa Clara delegation.

Assembly Bill No. 733, above reported, Senate substitute adopted.

GOVERNOR'S MESSAGE.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 1st, 1870 }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 70—An Act to authorize Assessors to complete duties imperfectly performed.

Also, Assembly Bill No. 187—An Act concerning the office of the County Clerk of the City and County of San Francisco

Also, Assembly Bill No. 536—An Act to establish a Municipal Criminal Court in the City and County of San Francisco.

Also, Assembly Bill No. 120—An Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of

the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight.

Also, Assembly Bill No. 699—An Act supplementary to an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 361—An Act for the relief of T. D. Murphy, W. D. Murphy, G. E. Nottage, S. Malloy, M. J. Bolan, Courtland Wood, Henry J. Quinn and Ira D. Thompson, all of the City and County of San Francisco.

Also, Assembly Bill No. 676—An Act to provide for the formation of corporations for the accumulation of funds and savings, and the direct promotion of manufacturing and mechanic arts, agriculture and mining.

Also, Assembly Bill No. 684—An Act amendatory of and supplementary to an Act entitled an Act to provide terminal depot grounds for the Terminal Central Pacific Railroad Company, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 389—An Act to pay the claim of Thomas R. Eldredge.

Also, Assembly Bill No. 718—An Act to ratify and confirm the transactions of the First Unitarian Society of San Francisco, and of the corporation, The Board of Directors of the First Unitarian Society of San Francisco, California.

Also, Assembly Bill No. 692—An Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University.

Also, Assembly Bill No. 344—An Act to provide for the manner of auditing claims against Humboldt County, and to provide for the reduction of taxation therein and expenses thereof.

H. H. HAIGHT,
Governor.

REPORTS.

Mr. Hihn, from the Committee on Fees and Salaries, made the following report, by leave :

Mr. SPEAKER: The Committee on Fees and Salaries, to whom was referred Assembly Bills Nos. 8, 31, 64, 72, 79, 90, 112, 145, 321 and 456, also several petitions, herewith beg leave to report the same back and recommend their indefinite postponement.

HIHN, Chairman.

Recommendation of committee in regard to above reported bills concurred in.

Mr. Lewelling, from the Committee on Enrolment, made the following reports :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 689—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the City of San José.

Also, Assembly Bill No. 717—An Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara, in certain cases.

And this day, at twelve o'clock and ten minutes p. m., presented the same to the Governor for his approval.

LEWELLING, for Committee

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 119—An Act to provide for the improvement of rivers and streams in Santa Clara County.

Also, Assembly Bill No. 457—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street.

Also, Assembly Bill No. 432—An Act for the relief of Lovick P. Hall and Samuel J. Garrison.

Also, Assembly Bill No. 583—An Act to provide for the erection of a City Hall in the City and County of San Francisco.

Also, Assembly Bill No. 406—An Act to determine the lines and grades of streets, avenues, highways and lanes in the City and County of San Francisco

And this day, at five o'clock p. m., presented the same to the Governor for his approval.

LEWELLING, for Committee.

Mr. Ryan, by leave, introduced a bill for an Act to empower the Boards of Supervisors of the several counties of this State to aid in the construction of a railroad in their respective counties

Read first and second times and ordered on file.

Mr. Martin of Siskiyou offered the following resolution :

Resolved, That Joshua Moffitt, First Assistant Clerk, be allowed two dollars per day for extra work, from the beginning of the session, payable out of the Contingent Fund of the Assembly.

Adopted.

At half-past twelve o'clock p. m. the House took a recess.

REASSEMBLED.

At half-past one o'clock p. m. the House reassembled.

Speaker pro tem in the chair.

Roll called.

Quorum present.

Mr. Lambert moved to reconsider the vote by which the House adopted Senate substitute to Assembly Bill No. 733.

Carried.

When the Assembly refused to concur in the Senate substitute to the bill.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
April 2d, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, receded from its amendment to section thirty-two, and refused to recede from its amendment to section two, of Assembly Bill No. 568—An Act to incorporate the Town of Brooklyn and to define and establish the boundary line between said town and the City of Oakland.

Also, passed Senate Concurrent Resolution No. 65—Relative to granting leave of absence to Matthew Woods, Sheriff of Yuba County

Also, passed, under suspension of the rules, Assembly Bill No. 611—An Act to authorize the Board of Supervisors of Mendocino County to levy an additional tax for the construction of a wagon road from Ukiah to Mendocino City, and to repair and improve the wagon road from Ukiah City to Cloverdale.

Also, passed, under suspension of the rules, Assembly Bill No. 715—An Act concerning the term of office of the Supervisors of Santa Cruz County.

ROBERTS,
Secretary.

Assembly Bill No. 568, above reported, Senate amendments concurred in.

GENERAL FILE

Senate Bill No. 312—An Act to amend an Act to regulate the interest of money.

Read a third time and passed; title approved.

Senate Bill No. 621—An Act concerning wharves.

Read a third time and passed; title approved.

Senate Bill No. 651—An Act to provide the Institution for the Deaf, Dumb and Blind with a geological and mineral cabinet.

Read a third time and passed; title approved.

Senate Bill No. 342—An Act concerning public ferries and toll-bridges. Amended.

Read a third time and passed; title approved.

Assembly Bill No. 295—An Act to provide for the collection of municipal licenses in the City and County of San Francisco.

Indefinitely postponed.

Assembly Bill No. 744—An Act granting to the California Pacific Railroad Company the right to extend their passenger wharf on the Straits of Carquinez.

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

Assembly Bill No. 638—An Act to appropriate money to pay the outstanding Indian war bonds issued by the State of California.

Considered in Committee of the Whole.

[Mr. Haile in the chair.]

IN ASSEMBLY.

Reported back and passage recommended.

On the passage of the bill, the ayes and noes were demanded by Messrs. Hihn, Brown of Amador, and Crigler, and it passed, by the following vote:

AYES—Messrs Andrews, Appling, Calderwood, Crigler, Gildea, Green, Griswold, Haile, G. R. B. Hayes, M. Hayes, Henley of Mendocino, Henley of Sonoma, Inman, King, Koutz, Martin of Butte, McMillan, McMurry of El Dorado, Miller of El Dorado, Miller of Marin, Mooney, Moynihan, Munday, Naphtaly, Newell, Odell, Pool, Power, Rockwell, Shoemaker, Thurston, Waldron, Williams, York and Mr Speaker—35

NOES—Messrs Biggs, Blankenship, Brown of Amador, Brown of Yuba, Coronel, Duffy, Escandon, Fryer, Hihn, Hubner, Johnson, Martin of Siskiyou, McClaskey, Merritt, Murphy of Santa Clara, Robinson, Sammons and Slicer—18.

Senate Bill No 452—An Act to redistrict the County of Los Angeles into supervisor districts and provide for the election of Supervisors therefor

Read a third time and passed; title approved.

Assembly Bill No. 726—An Act to confer additional powers on the Board of Supervisors of Yuba County.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Assembly Bill No 352—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Senate Bill No 404—An Act to amend an Act entitled an Act to incorporate the Town of Santa Barbara, approved February tenth, eighteen hundred and sixty-four

Rules suspended and by unanimous consent read a third time and passed; title approved.

Substitute for Senate Bill No. 433—An Act to ratify and confirm ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco and proceedings had thereunder.

Rules suspended and by unanimous consent read a third time and passed; title approved

Assembly Bill No. 570—An Act for the relief of David B Akey.

Considered in Committee of the Whole.

[Speaker in the chair.]

IN ASSEMBLY.

Reported back and indefinite postponement recommended.

On the recommendation of the committee, the ayes and noes were demanded by Messrs Finney, Duffy and Mooney, and the bill was indefinitely postponed, by the following vote :

AYES—Messrs Andrews, Appling, Berry, Biggs, Blankenship, Calderwood, Coronel, Crigler, De Haven, Doss, Eichelroth, Escandon, Fortune, Freeman, Green, Haile, G. R. B. Hayes, M Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Hubner, Hudson, Kelley, King, Koutz, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Munday, Murphy of Santa Clara, Naphtaly, Robinson, Satterwhite, Shoemaker, Slicer and Thurston—41.

NOES—Messrs Duffy, Finney, Johnson, Lewelling, McClaskey, Mooney, Pool, Rockwell, Waldron, Williams, York and Mr. Speaker—12.

Senate Bill No. 654—An Act to relieve the owners of encumbered real estate from double taxation

Read a third time

Mr. Gildea offered a substitute for section one.

Adopted

On the passage of the bill, the ayes and noes were demanded by Messrs. Miller of El Dorado, Crigler and Satterwhite, and the House refused, by the following vote :

AYES—Messrs Carothers, Colonel Escandon, Fortune, Gildea, Griswold, G R B Hayes, M. Hayes, Henley of Mendocino, King, McClaskey, McMillan, Miller of Marin, Mooney, Naphtaly, Rockwell, Ryan, Stephens, Williams and Mr. Speaker—20

NOES—Messrs Andrews, Appling, Berry, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Crigler, De Haven, Doss, Duffy, Finney, Fryer, Green, Haile, Henley of Sonoma, Hudson, Inman, Kelley, Koutz, Lewelling, Martin of Butte, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Moynihan, Munday, Newell, Odell, Pool, Power, Robinson Sammons, Satterwhite, Shoemaker, Slicer, Thurston, Walden, Waldron, York and Young—42.

Senate Bill No. 523—An Act to authorize the Controller and Treasurer of State to transfer certain funds.

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY.

Reported back and indefinite postponement recommended

Indefinitely postponed.

Senate Bill No. 478—An Act to fix the amount of the official bond of the Tax Collector of Del Norte County.

Read a third time by unanimous consent and passed ; title approved.

Senate Bill No. 548—An Act to incorporate the Town of Colusa.

Read a third time by unanimous consent and passed ; title approved

Senate Bill No. 211—An Act supplementary to an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read a third time and passed ; title approved.

Assembly Bill No. 382—An Act entitled an Act to encourage the raising of Angora or Cashmere and Angora goats in this State, etc.

Indefinitely postponed

Senate Bill No. 647—An Act granting certain property to the County of Sacramento

Rules suspended, bill considered engrossed, read a third time and passed ; title approved.

Senate Bill No. 6—An Act concerning foreign corporations.

Read a third time and passed ; title approved

Mr. Freeman, from the Committee on Enrolment, made the following report :

MR. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 681 —An Act to provide for the improvement of a certain part of the City and County of San Francisco

And this day, at three o'clock and thirty minutes P. M., presented the same to the Governor for his approval.

FREEMAN, for Committee.

Senate Bill No. 563—An Act to fix the terms of the District Court in the Second Judicial District.

By unanimous consent read a third time and passed; title approved

Senate Bill No. 592—An Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings and to furnish a site for the same.

Read a third time and passed; title approved.

Assembly Bill No. 402—An Act to provide for the appointment of a State Chemist

Amendment adopted.

Mr. Haile moved to indefinitely postpone the bill.

On which the ayes and noes were demanded by the requisite number, and the motion prevailed, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Biggs, Blankenship, Brown of Amador, Crigler, Finney, Freeman, Fryer, Green, Haile, Henley of Mendocino, Hihn, Hubner, Hudson, Kelley, King, Koutz, Martin of Siskiyou, McClaskey, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Munday, Murphy of Santa Clara, Newell, Pool, Power, Ryan, Satterwhite, Shoemaker, Slicer, Waldron, Williams and Young—36.

NOES—Messrs. Carothers, Duffy, Griswold, G. R. B. Hayes, Johnson, Lewelling, Mooney, Moynihan, Thomas and Thurston—10.

Senate Bill No. 419—An Act granting certain lands in the City and County of San Francisco to the Potrero and Bay View Railroad Company.

Read a third time and passed; title approved.

Assembly Bill No. 486—An Act to authorize the payment of the amount due the Industrial School at San Francisco.

Considered in Committee of the Whole.

[Mr. McMurry of Trinity in the chair]

IN ASSEMBLY.

Reported back and indefinite postponement recommended.

On which the ayes and noes were demanded by Messrs. G. R. B. Hayes, Murphy of Santa Clara and Haile, and the motion prevailed, by the following vote :

AYES—Messrs. Andrews, Berry, Biggs, Blankenship, Brown of Amador, Crigler, Finney, Haile, Henley of Mendocino, Hihn, Hubner, Hudson, Kelley, Koutz, Lewelling, Martin of Butte, Martin of Siskiyou, McClaskey, McMurry of El Dorado, Merritt, Miller of El Dorado, Miller of Marin, Munday, Murphy of Santa Clara, Newell, Odell, Robinson, Ryan, Sammons, Satterwhite, Shoemaker, Shores, Slicer, Thomas, Thurston, Walden, Waldron, Williams, Young and Mr. Speaker—40

NOES—Messrs. Fortune, Freeman, Gildea, Green, Griswold, G. R. B. Hayes, McMurry of Trinity, Moynihan and Rockwell—9.

Senate Bill No. 423—An Act to amend an Act entitled an Act for the protection of game, passed May fifteenth, eighteen hundred and fifty-four.

Read a third time and passed; title approved

Senate Bill No. 620—An Act amending an Act to repeal the several Acts incorporating the City of Benicia and to provide for the govern-

ment thereof, approved April eighteenth, eighteen hundred and fifty-nine.

Read a third time and passed; title approved

Assembly Bill No. 537—An Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State.

Indefinitely postponed.

Senate Bill No. 311—An Act to prevent the destruction of timber on the sixteenth and thirty-sixth sections reserved for school purposes, and on agricultural college lands

Mr. Martin of Butte moved to indefinitely postpone the bill

On which the ayes and noes were demanded by the requisite number, and the House refused, by the following vote:

AYES—Messrs Andrews, Biggs, Blankenship, Crigler, Finney, Gildea, Green, Haile, Henley of Mendocino, Henley of Sonoma, King, Koutz, Martin of Butte, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Mooney, Murphy of Santa Clara, Newell, Odell, Pool, Sammons, Satterwhite, Thomas and Thurston—26.

NOES—Messrs Berry, Brown of Yuba, Carothers, Duffy, Eichelroth, Escandon, Fortune, Freeman, Hihn, Hubner, Hudson, Inman, Kelley, Lewelling, Martin of Siskiyou, McClaskey, Merritt, Moynihan, Munday, Robinson, Rockwell, Shores, Slicer, Walden, Waldron, York, Young and Mr Speaker—28.

On the passage of the bill, the ayes and noes were demanded by Messrs. Martin of Butte, Gildea, and Martin of Siskiyou, and the House refused to pass the bill, by the following vote:

AYES—Messrs Berry, Brown of Yuba, Carothers, Duffy, Eichelroth, Escandon, Fortune, Fryer, Gildea, Green, Hihn, Hubner, Inman, Lewelling, McClaskey, McMillan, Merritt, Moynihan, Newell, Robinson, Rockwell, Shores, Slicer, Waldron, York, Young and Mr Speaker—27.

NOES—Messrs Andrews, Biggs, Blankenship, Crigler, Finney, Freeman, Haile, Henley of Mendocino, Henley of Sonoma, Hudson, Kelley, King, Koutz, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Mooney, Munday, Murphy of Santa Clara, Naphtaly, Odell, Pool, Ryan, Sammons, Satterwhite, Stephens, Thurston and Walden—31.

At four o'clock and fifty-five minutes P. M. Mr. Satterwhite moved to adjourn to seven o'clock P. M.

On which the ayes and noes were demanded by Messrs Duffy, Walden and Crigler, and the motion prevailed, by the following vote:

AYES—Messrs Berry, Biggs, Blankenship, Brown of Yuba, Carothers, Crigler, Eichelroth, Escandon, Finney, Fortune, Freeman, Haile, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Hihn, Inman, Johnson, King, Koutz, Lewelling, McClaskey, McMillan, Miller of Marin, Mooney, Moynihan, Murphy of Santa Clara, Naphtaly, Newell, Odell, Power, Rockwell, Ryan, Sammons, Satterwhite, Shores, Stephens, Thomas, Walden, Waldron and Mr Speaker—42.

NOES—Messrs Andrews, Duffy, Fryer, Gildea, Green, Hubner, Hudson, Kelley, Martin of Butte, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Munday, Pool, Robinson, Slicer, York and Young—20.

EVENING SESSION.

At seven o'clock P. M. the House reassembled.
 Speaker in the chair.
 Roll called
 Quorum present.

GENERAL FILE CONTINUED

Assembly Bill No. 663—An Act concerning the Board of Education of the City and County of San Francisco and defining the duties and powers thereof

Rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

Assembly Bill No. 747—An Act to empower the Board of Supervisors of the several counties of this State to aid in the construction of a railroad in their respective counties.

Rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 125—An Act for the encouragement of agriculture and the invention and construction of a locomotive steam plough.

Mr. Haile moved to indefinitely postpone the bill.

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY.

Reported back and indefinitely postponed.

Mr. Robinson for the San Diego delegation, reported back Assembly Bill No. 35 and Senate Bill No. 495 without recommendation

Senate Bill No. 43—Proposed amendments to the Constitution of this State

Read a third time.

On its passage, the roll was called, and the bill passed, by the following vote:

AYES—Messrs. Andrews, Appling, Berry, Biggs, Calderwood, Crigler, Duffy, Finney, Fortune, Gildea, Green, Griswold, Haile, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hubner, Hudson, Inman, Johnson, King, Koutz, Martin of Butte, Martin of Siskiyou, McClaskey, McMullan, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Moynihan, Newell, Odell, Ryan, Sammons, Satterwhite, Shoemaker, Shores, Slicer, Stephens, Thomas, Thurston, Walden, Waldron, Williams, York and Mr. Speaker—49

NOES—Messrs. Brown of Yuba, Hihn and Munday—3.

Mr. Walden offered the following resolution:

Resolved, That J. M. Shannon, Door-keeper for the Assembly, be and he is hereby allowed one dollar per day in addition to his per diem, from the commencement of the session; and the Controller is hereby authorized to draw his warrant in favor of J. M. Shannon for said amount, from the Contingent Fund of the Assembly.

Adopted

Senate Bill No. 467—An Act to regulate the fees of Justices and Constables in the County of Placer.

Read a third time, by unanimous consent, and passed; title approved
Senate Bill No. 212—An Act to authorize the Board of State Harbor Commissioners to lease a portion of the water front in the City and County of San Francisco.

Read a third time, by unanimous consent.

Mr Gildea offered an amendment, as follows: Amend section one by striking out "fifteen" and inserting "five years."

Lost.

Also, to amend as follows: "*provided*, that not to exceed one acre of land be given within the lines herein described"

Lost.

On the passage of the bill, the ayes and noes were demanded by the requisite number, and it passed, by the following vote:

AYES—Messrs. Appling, Biggs, Blankenship, Brown of Yuba, Calderwood, Carothers, Colonel. Duffy, Eichelroth, Escandon, Finney, Green, Griswold, G R B Hayes, Henley of Mendocino, Johnson, King, Martin of Butte, McClaskey, McMurry of El Dorado, Merritt, Mooney, Moynihan, Murphy of Santa Clara, Pool, Romer, Ryan, Satterwhite, Shores, Stephens, Thomas, Walden, Waldron, Williams, York and Mr. Speaker—36.

NOES—Messrs. Andrews, Berry, Brown of Amador, Crigler, Gildea, Haile, Hudson, Koutz, Martin of Siskiyou, McMurry of Trinity, Miller of El Dorado, Munday, Newell, Odell, Slicer and Thurston—16.

Title approved

Senate Bill No 600—An Act for the relief of certain orphan asylums.

Read a third time.

Mr Berry moved to indefinitely postpone the bill.

Lost.

On the passage of the bill, the ayes and noes were demanded by Messrs. Berry, Williams and Moynihan, and it passed, by the following vote:

AYES—Messrs. Appling, Biggs, Brown of Yuba, Colonel. Eichelroth, Escandon, Freeman, Gildea, Griswold, Henley of Mendocino, Henley of Sonoma, Horan, Martin of Butte, McMillan, Miller of El Dorado, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Newell, Odell, Pool, Romer, Ryan, Satterwhite, Shores, Slicer, Stephens, Thurston, Walden, Williams and Mr. Speaker—32

NOES—Messrs. Andrews, Berry, Blankenship, Brown of Amador, Carothers, Crigler, De Haven, Finney, Green, Haile, Hubner, Hudson, Koutz, Martin of Siskiyou, Thomas and Waldron—16.

Title approved

Senate Bill No 583—An Act to provide for the official valuation of life insurance policies.

Read a third time and passed; title approved

Assembly Bill No. 738—An Act to authorize the County of Santa Cruz to aid in the construction of railroads in said county

Rules suspended, bill considered engrossed, read a third time and passed; title approved.

MOTIONS AND RESOLUTIONS.

Mr. Gildea offered the following resolution:

Resolved, That Patrick Durkin be and he is hereby allowed, out of the Contingent Fund of the Assembly, the sum of sixty-four dollars, for mileage and per diem as a witness before the Investigation Committee appointed by this House for the investigation of certain charges.

| | |
|--|---------|
| Two days, at two dollars | \$4 00 |
| Two hundred and forty miles, at twenty-five cents..... | 60 00 |
| Total | \$64 00 |

Adopted.

Mr. Newell offered the following resolution :

Resolved, That W. B. Hamilton, H. W. Kind, A. H. Spence, G. W. Griffin, C. T. Roussan and Richard Clarken are hereby allowed one week's extra pay, as Assistant Engrossing Clerks of the Assembly, for extra work done during the eighteenth session of the Legislature ; and the Controller is hereby authorized to draw his warrants for the same, payable out of the Contingent Fund of the Assembly.

Adopted.

Mr. Finney offered a resolution, as follows :

Resolved. That the Clerk of the Committee on Corporations and the Clerk of the Sergeant-at-Arms be and are hereby allowed two dollars per diem extra pay during the entire session, to be paid out of the Contingent Fund of the Assembly

Mr. Halle offered an amendment, to make it one dollar per day each.
Lost.

On motion of Mr. Mooney, the Clerk of the Committee on Corporations was stricken out

The resolution, as amended, was adopted.

Mr Henley of Sonoma offered a resolution, as follows :

Resolved, That J G Johnson, Chaplain of the Assembly, be allowed one dollar per day, extra, during the session, to be paid out of the Contingent Fund of the Assembly.

Adopted

Mr. McMillan offered a resolution, as follows :

Resolved, That Marks Gruschinskie, Post-office Clerk of the Assembly, be allowed one dollar per diem, extra, during the eighteenth session ; and the Controller be and he is hereby authorized to draw his warrant for the same

Lost.

Mr Naphtaly offered a resolution, as follows :

Resolved, That the Fireman of the Assembly be and he is hereby allowed the sum of one (\$1) dollar per day, from the commencement of the session to the close thereof, payable out of the Contingent Fund of the Assembly.

Adopted.

At nine o'clock and fifteen minutes P. M. Mr. Andrews moved to adjourn.

Lost, on a division.

Assembly Bill No. 732—An Act for the relief of the free schools of the Presentation Convent of San Francisco.

Mr. Hubner moved to refer the bill to the Committee on Education

Lost.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Senate Bill No. 390—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons

Read a third time and passed; title approved

Mr. Miller of El Dorado offered concurrent resolutions in reference to the Acts of Congress by which the State of Georgia is deprived of self-government, and other matters.

Read first and second times and made the special order for Monday, April fourth, at three o'clock P. M.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER, }
April 2d, 1870. }

Mr. SPEAKER : I am directed to inform the Assembly that the Senate, on this day, passed Assembly Bill No. 500—An Act to authorize the construction of a swing or draw bridge across the San Antonio Creek, in the County of Alameda.

Also, amended and passed Assembly Bill No. 449—An Act amendatory of and supplementary to an Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty, and amended March twenty-eighth, eighteen hundred and sixty-eight.

Also, passed Assembly Bill No. 427—An Act in relation to the school lands of this State

Also, passed Assembly Bill No. 693—An Act to amend an Act entitled an Act to regulate fees of office.

And report the adoption of Committee of Conference, together with the report of said committee on Assembly Bill No. 657—An Act making appropriation for the support of the civil Government of the State of California for the twenty-second and twenty-third fiscal years, commencing on the first of July, eighteen hundred and seventy, and ending on the thirtieth of June, eighteen hundred and seventy-two.

ROBERTS,
Secretary.

The report of the Joint Committee of Conference was recommitted to the committee, with special instructions to strike out all new matter.

Mr. Johnson offered a resolution, as follows :

Resolved, That the Committee Clerks of the Assembly be allowed one dollar per day from the commencement of the session, for extra work performed by them, and that the Controller be authorized to draw his warrants on the State Treasurer for the said amount.

On motion of Mr Crigler, laid on the table.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No 741—An Act to amend an Act entitled an Act to regulate the fees of office and salaries of certain officers and to repeal certain other Acts in relation thereto, as approved March fifth, eighteen hundred and seventy.

And this day, at nine o'clock and thirty minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. Merritt offered a resolution, as follows :

Resolved, That the Enrolling Clerks of the Assembly be allowed one week's extra pay, for extra services rendered during the eighteenth session of the Legislature of the State of California, and that the Controller be and he is hereby authorized to draw his warrants upon the Treasurer for the same, and that the said Treasurer shall pay the same out of the Contingent Fund of the Assembly.

Mr. Martin of Butte moved to amend by inserting "Journal Clerk."

On motion of Mr Crigler, the resolution was laid on the table

Mr. Green moved to reconsider the vote laying the resolution on the table.

Carried.

Mr. Biggs raised a point of order, that under rule seventy-nine, the resolution could only be adopted by unanimous consent.

The Chair (Speaker pro tem) overruled the point of order, stating that by a resolution adopted to-day, all rules were suspended.

Mr. McMurry of Trinity rose to a point of order, stating that a resolution asking for one week's extra pay to the Enrolling Clerks was indefinitely postponed, on yesterday, and the resolution could not again be considered.

Overruled.

Mr. Duffy offered an amendment as follows: Insert "fifteen Enrolling Clerks."

Mr. Hihn offered an amendment to the amendment, that the amount to be paid under the resolution should not exceed the sum of five hundred dollars

Mr. Duffy asked leave to withdraw his amendment.

Objections were made.

Mr. Martin of Siskiyou, from the Committee on Enrolment, made the following report :

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 294—An Act to authorize and empower Joshua A. Neal to sell and

convey all the interest, property and estate of Maria and Josefa Neal, minor children of said Joshua and Bernal Neal, in certain lands in Alameda County.

Also, Assembly Bill No. 706—An Act to amend an Act entitled an Act to provide means for the government of Santa Cruz County, and for the funding and payment of the debt of said county, approved January thirty-first, eighteen hundred and seventy

Also, Assembly Bill No. 701—An Act to legalize the assessment roll of the City of Los Angeles.

Also, Assembly Bill No. 171—An Act for the relief of John Cartheche, Deputy Sheriff of El Dorado County.

Also, Assembly Concurrent Resolution No. 62—In relation to Julian's bill, in Congress, defining swamp and overflowed lands in this State.

Also, Assembly Bill No. 398—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 674—An Act for the relief of John Haines

Also, Assembly Bill No. 528—An Act for the relief of Thomas E. Hughes

Also, Assembly Bill No. 628—An Act to repeal an Act entitled an Act creating the offices of Township Collectors and Assessors in the Counties of El Dorado and Amador

Also, Assembly Bill No. 544—An Act to authorize the establishment of a steam ferry between the Village of Tomales and the opposite side of Tomales Bay, to Laird's Landing, in Marin County, and to construct wharves and docks for the same

Also, Assembly Bill No. 626—An Act concerning the county records of the County of Santa Clara

And this day, at eleven o'clock A. M., presented the same to the Governor for his approval.

MARTIN (of Siskiyou), for Committee

At ten o'clock and thirty-five minutes P. M. Mr. Biggs moved to adjourn.

On which the ayes and noes were demanded by the requisite number, and the House adjourned, by the following vote:

AYES—Messrs. Appling, Berry, Biggs, Blankenship, Carothers, Crigler, Duffy, Escandon, Finney, Haile, Henley of Mendocino, Henley of Sonoma, Hubner, Hudson, Johnson, Kelley, Koutz, Martin of Butte, Martin of Siskiyou, McMurry of Trinity, Merritt, Mooney, Munday, Newell, Odell, Pool, Power, Shores, Slicer, Thurston, Walden, Walaron, Williams and Mr. Speaker—34.

NOES—Messrs. Brown of Yuba, Coronel, Fortune, Freeman, Gildea, Green, Griswold, G. R. B. Hayes, Hihn, Horan, Inman, King, Lewelling, McMillan, Murphy of Santa Clara, Shoemaker, Stephens, Thomas and York—18.

GEO. H. ROGERS.

Speaker.

ROBT. FERRAL, Chief Clerk.

IN ASSEMBLY

HOUSE OF ASSEMBLY,
Monday, April 4th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Roll called

Quorum present

Prayer by the Chaplain

On motion of Mr. Martin of Siskiyou, the reading of the Journal was dispensed with, and the Speaker authorized to examine and sign the same.

Mr. Martin of Siskiyou offered a corrected joint report from the Committee of Conference on Assembly Bill No. 657—An Act making appropriations for the support of the civil Government of the State of California for the twenty-second and twenty-third fiscal years, commencing on the first day of July, eighteen hundred and seventy, and ending on the thirtieth day of June, eighteen hundred and seventy-two

On motion of Mr. Haile, the report was adopted.

Mr. Lambert, by leave, introduced a bill for an Act to fix the rate of taxation for State purposes.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

The resolution in reference to adjourning was taken up:

Resolved by the Assembly, the Senate concurring, That the Legislature do adjourn on the fourth day of April, eighteen hundred and seventy, at twelve o'clock, midnight.

Adopted.

SENATE MESSAGES.

The following messages were received from the Senate:

SENATE CHAMBER,
April 2d, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, receded from its amendment to Assembly Bill No. 733—An Act to fix the rate of taxation for State purposes

And amended and passed Assembly Bill No. 438—An Act to locate the county seat of the County of Stanislaus.

ROBERTS,
Secretary.

SENATE CHAMBER,
April 2d, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No. 540—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade certain streets in said city and county, and to condemn private property for the roadway of said streets.

Also, passed Assembly Bill No. 735—An Act to amend an Act entitled an Act to regulate fees and salaries of officers, and defining their duties.

in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy

Also passed, under suspension of the rules, Assembly Bill No 612—An Act to provide for the construction of a Hall of Records at the county seat of the County of Sonoma, to authorize the Board of Supervisors to issue the bonds of the county therefor and to provide for the payment of the same

Also, passed amendments to the State Constitution, No 3, of the Assembly.

MARDIS,

Assistant Secretary.

SENATE CHAMBER,
April 2d, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No 656—An Act requiring the Board of Education of the City and County of San Francisco to equalize the salaries of the male and female teachers in the schools

Also passed, under suspension of the rules, Assembly Bill No. 649—An Act to authorize and require the Board of Supervisors of Yolo County, to approve and certify certain claims against Swamp Land District Number Eighteen.

Also, passed Assembly Bill No 632—An Act entitled an Act to amend an Act entitled an Act authorizing Robert Betge and others to lay down and maintain a railroad in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight.

MARDIS,

Assistant Secretary.

SENATE CHAMBER,
April 2d, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No. 727—An Act amendatory of an Act supplementary to and amendatory of an Act to authorize the County of Placer to subscribe to the capital stock of the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto, approved March thirty-first, eighteen hundred and sixty-six.

Also passed, under suspension of the rules, Assembly Bill No 741—An Act to amend an Act entitled an Act to regulate the fees of office and salaries of certain officers and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy

Also, indefinitely postponed Assembly Bill No 724—An Act to aid and support the State Labor Exchange at Sacramento

MARDIS,

Assistant Secretary.

SENATE CHAMBER,
April 2d, 1870. }

Mr SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Assembly Bill No. 606—An Act in relation to sales

and conveyances made by the Pacific Savings and Homestead Association.

Also passed, under suspension of the rules, Senate Bill No. 343—An Act to provide for recording of final decrees partitioning real estate.

Also, indefinitely postponed Assembly Concurrent Resolution No. 34—Concerning lands in the desert west of Fort Yuma.

Also, indefinitely postponed Assembly Bill No. 235—An Act to amend an Act entitled an Act concerning conveyances, passed April sixteenth, eighteen hundred and fifty-nine, and the Acts amendatory thereto, passed February fifteenth, eighteen hundred and sixty-one, approved April second, eighteen hundred and sixty-six

Also, indefinitely postponed proposed amendment to the Constitution, No. 2.

Also, indefinitely postponed Assembly Bill No. 164—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the various Acts amendatory thereof and supplementary thereto.

Also, Assembly Bill No. 12—An Act amendatory of and supplementary to an Act to regulate criminal cases, passed May first, eighteen hundred and fifty-one, and all Acts amendatory thereof.

Also, indefinitely postponed Assembly Bill No. 216—An Act more fully defining the crime of larceny.

Also, indefinitely postponed Assembly Bill No. 168—An Act to amend an Act entitled an Act to exempt the homestead and other property from forced sale in certain cases, approved April twenty-first, eighteen hundred and fifty-one.

Also, indefinitely postponed Assembly Bill No. 316—An Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Also, indefinitely postponed Assembly Bill No. 331—An Act supplementary to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Also, indefinitely postponed Assembly Bill No. 88—An Act to amend an Act to regulate proceedings in civil cases in Courts of justice of this State.

MARDIS,

Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 449, above reported, Senate amendments concurred in.

Assembly Bill No. 438, above reported, Senate amendments concurred in.

Senate Bill No. 343, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Senate Concurrent Resolution No. 65, above reported, adopted.

Amendment to State Constitution, No. 3, laid on the table.

MOTIONS AND RESOLUTIONS.

Mr. G. R. B. Hayes offered the following resolution :

Resolved, That the Senate be and it hereby is respectfully requested to return Assembly Bill No. 295, it never having passed this House, and having been sent to the Senate inadvertently.

Adopted.

Mr. Horan offered the following resolution :

Resolved, That Henry Kilgarif, Paper Folder of this Assembly, be and is hereby allowed one month's extra pay, for extra labor performed in this House, and the Controller is hereby authorized to draw his warrant on the Contingent Fund of the Assembly.

Mr. Crigler moved to lay on the table

On which the ayes and noes were demanded by Messrs. Crigler, Doss, and Miller of El Dorado, and the House refused, by the following vote :

AYES—Messrs Andrews, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Coronel, Crigler, De Haven, Doss, Eichelroth, Hihn, Koutz, Martin of Siskiyou, Miller of El Dorado, Mooney, Munday, Odell, Pool, Shores, Thurston, Waldron and York—23

NOES—Messrs Duffy, Escandon, Fortune, Freeman, Fryer, Green, Griswold, G R B Hayes, Henley of Sonoma, Horan, Johnson, Lambert, Lewelling, McMillan, Moynihan, Newell, O'Connell, Rockwell, Romer, Sammons, Satterwhite, Shoemaker, Stephens, Thomas, Williams and Mr Speaker—26.

On adopting the resolution, the ayes and noes were demanded by Messrs Walden, Odell, and Miller of El Dorado, and it was adopted, by the following vote :

AYES—Messrs Appling, Coronel, Duffy, Escandon, Fortune, Freeman, Fryer, Green, Griswold, G R B Hayes, Henley of Sonoma, King, Lambert, McClaskey, McMillan, Moynihan, O'Connell, Pool, Rockwell, Romer, Shoemaker, Stephens, Thomas, Williams, York and Mr Speaker—26

NOES—Messrs Andrews, Berry, Biggs, Blankenship, Brown of Amador, Brown of Yuba, Crigler, Doss, Henley of Mendocino, Koutz, Martin of Siskiyou, Mooney, Munday, Newell, Odell, Shores, Thurston, Waldron and Young—19.

Mr. Munday offered a concurrent resolution, as follows :

Resolved by the Assembly, the Senate concurring, That the Controller of State is hereby authorized and directed to draw his warrant on the State Treasurer, in favor of J. Johnson, payable out of the Contingent Fund of the Senate and Assembly, for one dollar per day during the eighteenth session of the California Legislature, for keeping the entrance to the State Capitol in order.

Adopted.

Mr. McMillan offered a resolution, as follows :

Resolved, That the Controller is hereby authorized to draw his warrant in favor of Marks Gruschinskie, for one dollar per day extra, during the session, as Post-office Clerk

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

Lost.

Mr. Gildea offered an amendment as follows :

Resolved, That B Marks, D Bibb, J Kenedy, Charles Donohue, A. Wilson and B Hoods, Pages, receive one dollar per day, extra pay, since the commencement of the session ; and the Controller of State is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the parties herein named.

Mr. Doss offered an amendment to the amendment, as follows :

Resolved, That J. W. Crutcher and Ben Bullard, Assistant Engrossing Clerks, be allowed one week's extra pay, for extra services rendered during the present session, payable out of the Contingent Fund of the Assembly ; and the State Controller is hereby authorized to draw his warrants for the same, in favor of said Clerks.

Mr. Haile moved to amend, by adding the Enrolling Clerks

Mr. Biggs offered a substitute for the resolutions and amendments, as follows :

Resolved. That all the attachés and officers not already allowed extra pay, by resolutions adopted, be and are hereby allowed one week's extra pay ; and the Controller of State be and he is hereby authorized to draw his warrants on the State Treasurer in favor of such attachés and officers as are included by this resolution

Mr. Martin of Siskiyou moved to temporarily postpone further action, to consider the following resolution :

Resolved, That the Enrolling and Engrossing Clerks report as soon as possible to the House the number and names of the Assistant Enrolling and Engrossing Clerks, with the date of their appointment.

Ruled out of order at this time

Mr. Hihn moved to indefinitely postpone the whole matter.

Lost

On the substitute offered by Mr. Biggs, the ayes and noes were demanded by Messrs Crigler, Odell and Shores, and the substitute was adopted, by the following vote :

AYES—Messrs. Appling, Biggs, Carothers, De Haven, Duffy, Fortune, Freeman, Green, Griswold, Haile, Hawley, G. R. B Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Kelley, King, Lambert, McClaskey, Merritt, Miller of El Dorado, Miller of Marin, Moynihan, Munday, Murphy of Santa Clara, Oates, O'Connell, Pool, Robinson, Ryan, Satterwhite, Scarce, Shoemaker, Walden, Williams and Young—37.

NOES—Messrs Andrews, Berry, Blankenship, Brown of Amador, Coronel, Crigler, Eichelroth, Escandon, Fryer, Gildea, Hihn, Koutz, Martin of Siskiyou, McMillan, McMurry of El Dorado, Mooney, Naphataly, Newell, Odell, Rockwell, Romer, Shores, Slicer, Thomas, Thurston and Waldron—26.

On adopting the resolution, as amended by the substitute of Mr. Biggs, the ayes and noes were demanded by Messrs. Berry, Hihn and Andrews, and it was adopted, by the following vote :

AYES—Messrs. Appling, Biggs, Duffy, Escandon, Fortune, Freeman, Green, Griswold, Haile, Hawley, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Johnson, King, Koutz, Lambert, McClaskey, McMillan, Miller of El Dorado, Miller of Marin, Moynihan, Munday, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Pool, Rockwell, Ryan, Sammons, Satterwhite, Shoemaker, Stephens, Walden, Williams and Young—37.

NOES—Messrs. Andrews, Berry, Blankenship, Brown of Amador, Carothers, Coronel, Crigler, De Haven, Eichelroth, Fryer, Hihn, Martin of Siskiyou, McMurry of El Dorado, Newell, Odell, Robinson, Romer, Scarce, Shores, Slicer, Thurston and Waldron—22

Mr. Naphtaly introduced a bill for an Act to create a Commission to examine and determine the validity of certain assessments and contracts for street work in the City and County of San Francisco.

Read first and second times and ordered on file.

Mr. Merritt offered a concurrent resolution, as follows :

Resolved by the Assembly, the Senate concurring, That the Secretary of State be and is hereby authorized and directed to take charge of the buildings and grounds and personal property of the former State Reform School, and to collect all moneys now in the hands of the Trustees of said school, and also to sell all of the personal property belonging to the same, and also to keep in repair and lease or rent the buildings and grounds on such terms as he may deem most advantageous; *provided*, however, that the repairs on said buildings and grounds shall not amount to any larger sum than may be received from the rent of the same.

Adopted.

Senate Bill No. 344—An Act for the relief of Francis McGrath.

Considered in Committee of the Whole.

[Speaker in the chair]

IN ASSEMBLY.

Reported back and passage recommended

Read a third time and passed; title approved.

Senate Bill No. 520—An Act authorizing D Harback to construct a chute and moorings at or near Stewart's Point, and to collect tolls for the use of the same.

Read a third time and passed; title approved.

[Speaker pro tem in the chair.]

Mr. Lambert asked leave to introduce a bill for an Act to create a State Board of Equalization.

On suspending the rules to allow the introduction of the bill, the ayes and noes were demanded by Messrs Blankenship, Satterwhite and Thomas, and the rules were suspended, by the following vote :

AYES—Messrs. Appling, Berry, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Coronel, Crigler, Duffy, Finney, Freeman, Gildea, Green, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Inman, Kelley, King, Koutz, Lambert, Lewelling, Martin of Siskiyou, McClaskey, McMurry of El Dorado, Merritt, Miller of El Dorado, Mooney, Moynihan, Munday, Newell, O'Connell, Odell, Pool, Power, Robinson, Romer, Scarce, Shoemaker, Shores, Slicer, Stephens, Thurston, Walden, Waldron and Young—50.

NOES—Messrs. Blankenship, Carothers, De Haven, Fortune, Fryer, G R B Hayes, Hihn, Miller of Marin, Murphy of Santa Clara, Rockwell, Satterwhite, Thomas and Williams—13.

Read first and second times.

Mr Lambert moved to suspend the rules, to consider the bill engrossed and placed on its final passage

Mr. G R B Hayes rose to a point of order, that the bill could not be considered engrossed or ordered engrossed the day of its introduction.

Overruled.

Mr. Hayes appealed from the decision of the Chair.

On which the ayes and noes were demanded by the requisite number, and the Chair was sustained, by the following vote:

AYES—Messrs. Appling, Berry, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Crigler, Doss, Eichelroth, Escandon, Finney, Freeman, Green, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Iuman, Johnson, Kelley, King, Koutz, Lambert, Lewelling, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Munday, Newell, Oates, O'Connell, Odell, Pool, Power, Robinson, Romer, Sammons, Satterwhite, Scarce, Shores, Slicer, Stephens, Thurston, Walden, Waldron and Young—52.

NOES—Messrs. Blankenship, Carothers, De Haven, Fortune, Fryer, Griswold, Hihn, Murphy of Santa Clara, Rockwell, Thomas and Williams—11.

Mr Slicer moved the previous question.

Sustained.

The motion to consider the bill engrossed prevailed

On the third reading of the bill, the Chair decided that the bill could not be read a third time on the day of its introduction, if objections were made.

Mr. Henley of Sonoma appealed from the decision of the Chair.

Mr Lambert moved the previous question

Sustained.

On the question "Shall the decision of the Chair stand as the judgment of the House?" the ayes and noes were demanded by Messrs. G. R. B. Hayes, Shoemaker and Thomas, and the House refused to sustain the decision of the Chair, by the following vote:

AYES—Messrs. Blankenship, Carothers, De Haven, Escandon, Finney, Fortune, G R B Hayes, Hihn, Miller of Marin, Murphy of Santa Clara, Power, Rockwell, Satterwhite, Shoemaker and Thomas—15.

NOES—Messrs. Appling, Berry, Biggs, Brown of Amador, Brown of Yuba, Coroneel, Crigler, Doss, Freeman, Green, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Inman, Johnson, Kelley, King, Koutz, Lambert, Lewelling, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Munday, Newell, Oates, Odell, Pool, Robinson, Sammons, Scarce, Shores, Slicer, Stephens, Thurston, Walden, Waldron and Young—43.

Bill read a third time.

Mr. G R B Hayes moved a call of the House.

Ruled out of order, under the operation of the previous question.

Mr. G. R. B. Hayes appealed.

On which the ayes and noes were demanded by the requisite number, and the Chair was sustained, by the following vote :

AYES—Messrs. Appling, Berry, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Carothers, Coronei, Crigler, Doss, Duffy, Finney, Fortune, Freeman, Haile, Hawley, M. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Inman, Johnson, Kelley, King, Lambert, Lewelling, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Miller of El Dorado, Mooney, Munday, Newell, Oates, Odell, Pool, Power, Robinson, Rockwell, Sammons, Scarce, Shores, Slicer, Stephens, Thurston, Walden, Waldron and Young—49.

NOES—Messrs. Blankenship, De Haven, Fryer, G. R. B. Hayes, Hihn, Miller of Marin, Moynihan, Murphy of Santa Clara and Thomas—9.

At half-past twelve o'clock P. M. the House took a recess.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called

Quorum present

The question being on the passage of the bill introduced by Mr. Lambert—

Mr. Horan moved the previous question.

Sustained

On the passage of the bill, the ayes and noes were demanded by Messrs Satterwhite, G. R. B. Hayes and Carothers, and it passed, by the following vote :

AYES—Messrs. Andrews, Appling, Berry, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Crigler, Duffy, Eichelroth, Fortune, Freeman, Gildea, Green, Griswold, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, Horan, Hudson, Inman, Johnson, Kelley, King, Koutz, Lambert, Lewelling, Martin of Siskiyou, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Mooney, Newell, Oates, Odell, Pool, Power, Romer, Sammons, Scarce, Shores, Slicer, Thurston, Waldron, Williams, York and Mr. Speaker—50.

NOES—Messrs. Blankenship, Carothers, De Haven, G. R. B. Hayes, Miller of Marin, Moynihan, Ryan and Satterwhite—8.

Title approved.

Mr. Lambert, from the Joint Committee of Conference on Assembly Bill No. 680, submitted a report recommending that the Senate recede from certain amendments to the bill.

Report received and adopted

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER, }
April 4th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Assembly Bill No. 373—An Act to amend an Act

entitled an Act to amend an Act entitled an Act amendatory of article four of an Act entitled an Act to repeal the several charters of the City and County of San Francisco, to establish the boundaries of the City and County of San Francisco and to consolidate the government thereof, etc.

Also, Assembly Bill No. 743—An Act to amend an Act entitled an Act to provide for paving the streets in the City and County of San Francisco, approved March eleventh, eighteen hundred and sixty-eight.

And also herewith present report of Directors of the State Prison.

Also, on this day, amended and passed substitute for Assembly Bill No 265—An Act amendatory of and supplementary to an Act entitled an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-four

Also, passed amended substitute for Assembly Bill No. 290—Amendment to the Constitution.

Also, Senate Concurrent Resolution No. 66—Relative to paying C. A. Uhrig for translating Governor's message into German.

Also, passed Assembly Bill No 709—An Act to amend an Act entitled an Act to provide for the appointment of a Reporter of the Supreme Court and to define his duties and compensation, passed at the eighteenth session of the Legislature.

Also passed, under suspension of the rules, Senate Bill No. 518—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one

Also, Senate Concurrent Resolution No. 67—Relative to correcting error in Assembly Bill No. 747.

Also, passed Assembly Bill No 732—An Act for the relief of the free schools of the Presentation Convent of the City and County of San Francisco.

Also, passed Senate Bill No. 599—An Act to amend an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Also, passed Senate Bill No. 558—An Act to quiet title to certain lands in the City and County of San Francisco.

Also, passed Assembly Bill No 726—An Act to confer additional powers on the Board of Supervisors of Yuba County.

Also, passed Assembly Bill No. 745—An Act to submit the question of the removal of the county seat of Kern County to the qualified voters thereof.

MARDIS,
Assistant Secretary.

SENATE CHAMBER, }
April 4th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Senate Bill No. 672—An Act to amend an Act entitled an Act concerning street railroads, approved March twentieth, eighteen hundred and seventy.

Also, Assembly Bill No. 747—An Act to empower the Boards of Supervisors of the several counties of this State to aid in the construction of a railroad in their respective counties.

Also, Assembly Bill No 734—An Act to submit to the qualified electors of the City and County of San Francisco a proposition to remit said

city and county's portion of all taxes on moneys received by savings institutions, banks and loan societies, secured by mortgage

Also, Assembly Bill No 453—An Act supplementary to an Act to provide for the appointment of Notaries Public, and define their duties.

Also, Senate concurrent resolution, relative to suspending fifteenth rule.

ROBERTS,
Secretary.

SENATE CHAMBER. }
April 4th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, adopted the report of the Committee of Conference on disagreeing vote on Assembly Bill No 657—An Act making appropriations for the support of the civil Government of the State of California for the twenty-second and twenty-third fiscal years, commencing on the first of July, eighteen hundred and seventy, and ending on the thirtieth of June, eighteen hundred and seventy-two

Also, adopted the report of the Committee of Conference on disagreeing vote on Assembly Bill No. 680—An Act making appropriations for the support of the several charitable institutions therein specified, during the twenty-second and twenty-third fiscal years, commencing with the first day of July, eighteen hundred and seventy, and ending with the thirtieth day of June, eighteen hundred and seventy-two, inclusive

ROBERTS,
Secretary.

SENATE CHAMBER. }
April 4th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on the first day of April, passed, under suspension of the rules, Senate Bill No. 488—An Act to amend an Act entitled an Act to amend section eighty-two of an Act entitled an Act to provide revenue for the support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty seventh, eighteen hundred and sixty-three

And, on April second, passed substitute for Senate Bill No. 292—An Act entitled an Act in relation to dealers in second-hand merchandize.

Also, passed Senate Bill No 371—An Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Also, passed, under suspension of the rules, Assembly Bill No 748—An Act to fix the rate of taxation for State purposes.

ROBERTS,
Secretary.

SENATE CHAMBER. }
April 4th, 1870 }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed substitute for Assembly Bill No 658—An Act to establish in the City of San Francisco a Labor and Employment Exchange, and provide for its government and support.

Also, amended and passed Assembly Bill No. 668—An Act amendatory of an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, passed April nineteenth, eighteen hundred and fifty, and to amend an Act entitled an Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, passed April nineteenth eighteen hundred and fifty, approved May twentieth, eighteen hundred and sixty-one.

MARDIS,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 68, above reported, amendments of Committee of Conference concurred in.

Senate concurrent resolution, above reported, concurred in

Senate Concurrent Resolution No. 67, above reported, concurred in

Senate Bill No. 488, above reported, read first and second times and, by unanimous consent, read a third time.

Mr. Murphy of Santa Clara moved to amend section one, by striking out the word "stationary."

Lost

When the bill was indefinitely postponed

Assembly Bill No. 453, above reported, Senate amendments concurred in

Substitute for Assembly Bill No. 290, above reported, Senate amendments concurred in.

Assembly Bill No. 668, above reported, Senate amendments concurred in.

Senate Concurrent Resolution No. 66, above reported, concurred in

Senate Bill No. 599, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 672, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved

Substitute for Senate Bill No. 292, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved

Senate Bill No. 518, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved

Senate Bill No. 371, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Senate Bill No. 558, above reported, read first and second times and, by unanimous consent, read a third time.

When the House refused to pass the bill

Substitute for Assembly Bill No. 265.

On concurring in Senate amendment, the ayes and noes were demanded by Messrs. Gildea, Waldron and Duffy, and the House concurred, by the following vote:

AYES—Messrs. Andrews, Berry, Brown of Yuba, Freeman, Gildea, Green, G. R. B. Hayes, Hihn, Horan, Hudson, Johnson, Kelley, Koutz, Martin of Siskiyou, McMillan, McMurry of Trinity, Miller of El Dorado, Miller of Marin, Murphy of Santa Clara, Naphtaly, Newell, O'Connell, Odell, Power, Sammons, Scarce, Shoemaker, Slicer, Stephens, Thomas, Thurston and Waldron—32.

NOES—Messrs. Appling, Biggs, Blankenship, Calderwood, Carothers,

Crigler, De Haven, Duffy, Eichelroth, Finney, Fortune, Haile, Hawley, Henley of Mendocino, Henley of Sonoma, King, Lambert, McClaskey, Munday, Oates, Rockwell, Romer, Satterwhite, Walden, Williams, York, Young and Mr. Speaker—28

Report of Directors of State Prison, above reported.

Mr. McMurry of El Dorado moved to strike out the name of Frank Coffman.

Carried.

Mr. Waldron moved to strike out the name of W. A. Henderson

On which the ayes and noes were demanded by Messrs. Waldron, Haile and Hibn, and the House refused, by the following vote :

AYES—Messrs. Berry, Biggs, Carothers, Duffy, Hudson, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Munday, Newell, Odell, Power, Sammons, Satterwhite, Thomas, Thurston, Waldron and Young—19.

NOES—Messrs. Appling, Crigler, De Haven, Finney, Fortune, Griswold, Haile, G. R. B. Hayes, Henley of Mendocino, Henley of Sonoma, Horan, Johnson, Kelley, King, McMillan, Moynihan, Naphtaly, Oates, O'Connell, Pool, Rockwell, Shoemaker, Walden and Mr. Speaker—24.

Mr. Horan moved to add the name of Festus McDonough.

Lost.

When the report, as amended, was adopted.

Senate Bill No. 650, read first and second times and, by unanimous consent, read a third time and passed; title approved.

Mr. Ryan, from the Committee on Enrolment, submitted the following report :

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 709—An Act to amend an Act entitled an Act to provide for the appointment of a Reporter of the Supreme Court and to define his duties and compensation, passed at the eighteenth session of the Legislature.

And this day, at one o'clock and fifteen minutes P. M., presented the same to the Governor for his approval.

FREEMAN, for Committee.

Assembly Bill No. 749—An Act to create a Commission to examine into the validity of contracts and assessments for street work in San Francisco—was taken up.

Read a third time and passed; title approved.

SENATE MESSAGES.

The following messages were received from the Senate :

SENATE CHAMBER, }
April 4th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Assembly Bill No. 750—An Act to provide for a State Board of Equalization.

MARDIS,
Assistant Secretary.

SENATE CHAMBER,
April 4th, 1870 }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, refused to concur in amendment to strike out section five, and concurred in amendment to section seventy. of Senate Bill No 271—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty eight

MARDIS.

Assistant Secretary.

Senate Bill No 271, above reported, the House receded from its amendments to the bill.

REPORTS.

Mr. McMurry of Trinity, from the Committee on Public Accounts and Expenditures, made the following report :

MR. SPEAKER: The Committee on Public Accounts and Expenditures, having examined and found correct the following accounts, beg leave to report the same and recommend the adoption of the accompanying resolution :

| To whom due. | Amount. |
|--|---------|
| <i>Appeal</i> Association, for papers. | \$19 00 |
| Wagstaff & Jones, for Yolo <i>Mail</i> | 12 00 |
| San Mateo County <i>Gazette</i> | 6 00 |
| Grass Valley Daily <i>National</i> | 32 00 |
| Byrne & Mitchell, for Grass Valley <i>Union</i> | 4 00 |
| Wells, Fargo & Co 's Express, for freight on newspapers..... | 75 00 |
| Thomas McHugh, for hauling books..... | 8 00 |
| Kramer & Evatt, for night latch keys, etc..... | 16 50 |
| Edwards & Co , for stationery..... | 138 50 |
| Mark Foster, for portable gas lamp..... | 25 00 |
| P. H. Russell, for soap, etc..... | 4 25 |
| William O'Brien, for drayage..... | 11 50 |

Resolved. That the Controller of State be and he is hereby authorized and directed to draw his warrants on the Treasurer, as follows :

In favor of *Appeal* Association, for nineteen dollars.

In favor of Wagstaff & Jones, for twelve dollars

In favor of San Mateo County *Gazette*, for six dollars.

In favor of Grass Valley Daily *National*, for thirty two dollars.

In favor of Byrne & Mitchell, for four dollars.

In favor of Wells, Fargo & Co 's Express, for seventy-five dollars.

In favor of Thomas McHugh, for eight dollars.

In favor of Kramer & Evatt, for sixteen dollars and fifty cents.

In favor of Edwards & Co , for one hundred and thirty-eight dollars and fifty cents.

In favor of Mark Foster, for twenty-five dollars
 In favor of P H Russell, for four dollars and twenty-five cents.
 In favor of Wm O'Brien, for eleven dollars and fifty cents

McMURRY (of Trinity), for Committee.

Resolution accompanying report adopted
 Mr. King made the following report:

MR. SPEAKER: Your committee, to whom was referred the subject matter of a resolution passed by this House on the thirty-first day of March, A. D. eighteen hundred and seventy, with regard to the South San Francisco Homestead and Railroad Association, beg leave to report that they have had several witnesses before them and have made a partial investigation of the subject, and from such investigation thus made, they are convinced that no good can result to the State of California from a further investigation by them. That the Attorney-General of the State, at the instance of the Tide Land Commissioners, has full power and authority to bring any action or other proceeding to protect the interest of the State in the premises. Your committee, therefore, ask to be discharged

KING.
 LAMBERT.
 DUFFY.

Mr. King offered the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the State Treasurer for the sum of one hundred dollars, in favor of P J Malone, for services rendered as Phonographic Reporter to the special committee to inquire into the matter of the South San Francisco Railroad and Homestead Association, payable out of the Contingent Fund of the Assembly.

Adopted.

Mr. Ryan, from the Committee on Enrolment, made the following report:

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No 747—An Act to empower the Boards of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties.

And this day, at two o'clock and thirty minutes P M., presented the same to the Governor for his approval.

RYAN, Chairman.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following reports:

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 734—An Act to submit to the qualified electors of the City and County of San Francisco a proposition to remit said city and county's portion of all taxes on moneys received by savings institutions, banks and loan societies, secured by mortgage.

And this day, at two o'clock P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled substitute for Assembly Bill No. 649—An Act to authorize and require the Board of Supervisors of Yolo County to approve and certify certain claims against Swamp Land District Number Eighteen.

Also, Assembly Bill No. 611—An Act to authorize the Supervisors of Mendocino County to levy an additional tax for the construction of a wagon road from Ukiah to Mendocino City, and to repair and improve the wagon road from Ukiah City to Cloverdale.

Also Assembly Bill No. 715—An Act concerning the term of office of the Supervisors of Santa Cruz County.

Also, Assembly Bill No. 727—An Act amendatory of an Act supplementary to and amendatory of an Act to authorize the County of Placer to subscribe to the capital stock of the Central Pacific Railroad Company of California and to provide for the payment of the same, and other matters relating thereto, approved March thirty first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 415—An Act to decrease the expenses of land litigation in the City and County of San Francisco.

Also, Assembly Bill No. 656—An Act requiring the Board of Education of the City and County of San Francisco to equalize the salaries of the male and female teachers in said schools.

Also, Assembly Bill No. 476—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

And this day, at eleven o'clock A. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee

Mr. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 540—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade certain streets, and to condemn private property for the roadway of said streets.

And this day, at twelve o'clock M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee

Mr. Martin of Siskiyou offered the following resolution:

Resolved, That the resolution adopted this day, allowing one week's extra pay to officers and attachés of the Assembly, shall not apply to those who have been appointed within one week prior to this date, and the Sergeant-at-Arms is directed to furnish a list of all officers and attachés so entitled to pay.

Adopted

Senate Bill No. 376—An Act for the incorporation of the Town of Alameda.

Read a third time and passed; title approved.

Assembly Bill No. 749—An Act to create a Commission to examine

and determine the validity of certain assessments and contracts for street work in the City and County of San Francisco.

Rules suspended, bill considered engrossed, by unanimous consent read a third time and passed; title approved.

Senate Bill No. 671—An Act to organize and regulate the townships in San Mateo County, and to define the respective duties and compensation of county and township officers in certain cases, approved March twentieth, eighteen hundred and sixty-six.

Read a third time and passed; title approved.

SENATE MESSAGE

The following message was received from the Senate:

SENATE CHAMBER,
April 4th, 1870. }

MR SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Senate Bill No 566—An Act to provide for the formation of corporations for certain purposes

Also, Senate Bill No. 673—An Act to amend an Act entitled an Act to provide for the support of the Government of this State.

ROBERTS,
Secretary.

Senate Bill No. 566, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved

Senate Bill No. 673, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 2d, 1870. }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 619—An Act to incorporate the Fire Department of the City of San José

Also, Assembly Bill No. 621—An Act to amend an Act entitled an Act in relation to public roads in the County of Amador, and to the Road Fund of said county.

Also, Assembly Bill No 122—An Act to amend an Act entitled an Act defining the legal distances from each county seat to the Capital. Lunatic Asylum and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

Also, Assembly Bill No. 463—An Act to authorize the Treasurer of Sutter County to transfer money from the General Fund to the Hospital Fund of said county

Also, Assembly Bill No. 452—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one

Also, Assembly Bill No. 585—An Act supplementary to an Act enti-

tled an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 286—An Act to amend an Act entitled an Act concerning attorneys and counsellors at law, approved February nineteenth, eighteen hundred and fifty-one

Also, Assembly Bill No. 311—An Act to amend an Act entitled an Act concerning Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Also, Assembly Bill No 362—An Act to regulate the distribution of the Police Fund of the City and County of San Francisco.

Also, Assembly Bill No. 710—An Act concerning the Road Fund of certain districts in the County of Placer.

Also, Assembly Bill No 690—An Act concerning the Magdalen Asylum of the City and County of San Francisco

Also, Assembly Bill No. 716—An Act to amend an Act entitled an Act to provide for changing the commencement of the term of office of the District Attorney for the County of Yuba, approved March second, eighteen hundred and sixty-six.

Also, Assembly Bill No. 635—An Act to pay the claims of McNally and Hawkins

Also, Assembly Bill No 414—An Act to provide for the translation of foreign records in the County of Sonoma, and to make such translations evidence of their contents.

Also, Assembly Bill No. 723—An Act to create a Board of Education for the City of Marysville

Also, Assembly Bill No 660—An Act making appropriations for deficiencies in the appropriations made for the nineteenth, twentieth and twenty-first fiscal years, ending on the thirtieth day of June, eighteen hundred and seventy.

Also, Assembly Bill No. 711—An Act concerning lawful fences in the County of El Dorado.

Also, Assembly Bill No. 97—An Act relating to the Home of the Inebriate of San Francisco, and to prescribe the powers and duties of the Board of Managers and the officers thereof.

H. H. HAIGHT,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 4th, 1870. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 524—An Act to authorize and empower the President and Trustees of the City of San Diego to donate lands to the San Diego and Los Angeles Railroad Company, to aid in construction of said railroad.

Also, Assembly Bill No 714—An Act to provide for the funding of the indebtedness of Levee District Number One, of Sutter County.

Also, Assembly Bill No. 332—An Act amendatory of and supplemental to an Act entitled an Act concerning roads and highways in the County of Tuolumne, approved February twenty-seventh, eighteen hundred and sixty-six.

Also, Assembly Bill No. 474—An Act further to define the powers and duties of the Sheriff of the City and County of San Francisco.

Also, Assembly Bill No. 257—An Act to amend an Act entitled an

Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty.

Also, Assembly Bill No 291—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the City of Nevada, approved April nineteenth, eighteen hundred and fifty-six.

Also, Assembly Bill No 648—An Act to confer further powers on the Mayor of the City and County of San Francisco

Also, Assembly Bill No 491—An Act amendatory of an Act entitled an Act in relation to roads and highways in the County of Sonoma, to provide for the election of one County Commissioner of Roads and Highways and prescribe his duties, and repeal all other Acts so far as they conflict with the provisions thereof, approved March eighth, eighteen hundred and sixty-six.

Also, Assembly Bill No 478—An Act to define and establish the line and width of East street, between Market street and Clay street wharf, in the City and County of San Francisco

Also, Assembly Bill No 451—An Act to provide for the payment of the funded indebtedness of the State of California and to contract a funded debt for that purpose.

Also, Assembly Bill No. 739—An Act concerning water courses in the City of Los Angeles.

Also, Assembly Bill No 659—An Act concerning roads and highways in the County of Sacramento

Also, Assembly Bill No 701—An Act to legalize the assessment roll of the City of Los Angeles

Also, Assembly Bill No 219—An Act to ratify certain acts and ordinances of the Mayor and Common Council of the City of Los Angeles.

Also, Assembly Bill No. 717—An Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara, in certain cases

Also, Assembly Bill No. 525—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 628—An Act to repeal an Act entitled an Act creating the office of Township Collectors and Assessors in the Counties of El Dorado and Amador

Also, Assembly Bill No 398—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 294—An Act to authorize and empower Joshua A. Neal to sell and convey all the interest, property and estate of Maria Neal and Josefa Neal, minor children of said Joshua A. and his deceased wife, Angela Bernal Neal, in certain lands in Alameda County.

Also Assembly Bill No 457—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street.

Also, Assembly Bill No. 432—An Act for the relief of Lovick P Hall and Samuel J. Garrison.

Also, Assembly Bill No 497—An Act conferring certain powers upon the Trustees of the Sonoma College Association.

Also, Assembly Bill No. 500—An Act to authorize the construction of a swing or draw bridge across the San Antonio Creek, in the County of Alameda.

Also, Assembly Bill No. 568—An Act to incorporate the Town of Brooklyn, and to define and establish the boundary line between said town and the City of Oakland.

Also, Assembly Bill No. 353—An Act granting certain privileges to the Potrero and Bay View Railroad Company.

Also, Assembly Bill No. 741—An Act to amend an Act entitled an Act to regulate the fees of office and salaries of certain officers and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 693—An Act to amend an Act entitled an Act to regulate fees of office, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 612—An Act to provide for the construction of a Hall of Records at the county seat of the County of Sonoma, to authorize the Board of Supervisors to issue the bonds of the county therefor and to provide for the payment of the same.

H. H. HAIGHT,
Governor.

Assembly Bill No. 108—An Act creating the office of Mail and Express Messenger for the Capitol

Read a third time and passed, under a suspension of the rules; title approved.

Mr Romer offered the following resolution :

Resolved, That the Controller is hereby authorized to draw his warrant for forty-eight dollars and eighty cents, in favor of George H. Mumford, for per diem and mileage as witness before Committee on Corporations of this House.

Adopted.

Assembly Bill No 405, passed on file.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER, }
April 4th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Senate Concurrent Resolution No. 68—Relative to the Golden City Homestead Association.

MARDIS,
Assistant Secretary.

Senate Concurrent Resolution No. 68, above reported, passed, under suspension of the rules

Senate Bill No 642—An Act concerning the District Court of the Thirteenth Judicial District.

Read a third time and passed; title approved.

Assembly Bill No. 428—An Act entitled an Act to provide for the better collection of State and county revenue in the County of Los Angeles.

Rules suspended, bill considered engrossed, read a third time and passed; title approved

Senate Concurrent Resolution No. 62—Invitation for members and officers of Legislature to visit San José.

Amended to read " Wednesday, April sixth," and adopted.

Senate Bill No. 659—An Act to provide for the collection of taxes in the County of Tehama

Read a third time and passed; title approved

Assembly Bill No. 703—An Act to amend an Act entitled an Act to reduce and establish the salaries of officers and pay of members of the Legislature

Referred to its author, with special instructions to insert " six dollars" in place of " eight dollars."

Verbally reported amended and passage recommended

When the House refused to pass the bill.

Senate Bill No. 497—An Act for the payment of fees in criminal cases.

The House refused to pass the bill.

Assembly Bill No. 400—An Act to amend an Act entitled an Act to regulate proceedings in civil cases.

Indefinitely postponed

Mr. King offered the following resolution :

Resolved, That the resolution adopted by the Assembly on the thirty-first day of March, A. D. eighteen hundred and seventy, directing the Tide Land Commissioners to take certain action in the matter of the lands held by the South San Francisco Homestead and Railroad Association, be and the same is hereby cancelled and expunged from the Journals of this House.

On motion of Mr. Satterwhite, laid on the table.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 4th, 1870 }

To the Assembly of the State of California :

I herewith return to your honorable body, without approval, Assembly Bill No. 345—An Act to authorize the San Diego and Gila Southern Pacific and Atlantic Railroad Company, and its assigns to construct, maintain and use a wharf or wharves in front of pueblo lots numbered eleven hundred and sixty-three and eleven hundred and sixty-four, at South San Diego, in the County of San Diego

This bill grants a wharf franchise for fifty years, and is obnoxious to the same objections heretofore made to bills of a similar character

H. H. HAIGHT,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 4th, 1870. }

To the Assembly of the State of California :

I herewith return to your honorable body, without approval, Assembly Bill No. 643—An Act amendatory of and supplementary to an Act, approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

This bill invades the right of local administration, by providing for the appointment of a local officer, to continue in office for two years. Such a proceeding might be proper in a metropolitan city like San Francisco, but I have been unable to discover any good reason why the local authorities or the people of Sacramento should not control the selection of their local officers. Had the term been made to expire at the next charter election, which occurs in the spring of eighteen hundred and seventy-one, the bill would have been less objectionable, but as it is framed, I am not willing to give it my sanction.

H. H. HAIGHT,
Governor.

The question being, "Shall Assembly Bill No. 345 pass, notwithstanding the objection of the Governor?" the roll was called, and the House refused to so pass the bill, by the following vote:

AYES—Messrs. Munday, Odell, Waldron and Williams—4.

NOES—Messrs. Appling, Berry, Biggs, Carothers, Crigler, Eichelroth, Fortune, Freeman, Fryer, Haile, G. R. B. Hayes, Hihn, Horan, Hubner, Hudson, Johnson, Kelley, Koutz, Lambert, McClaskey, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Miller of Marin, Moynihan, Murphy of Santa Clara, Newell, O'Connell, Pool, Rockwell, Sammons, Satterwhite, Scarce, Slicer, Thomas, Thurston, Walden and Young—39.

Assembly Bill No. 643, returned from the Governor without his approval, in his message received at four o'clock and fifteen minutes P. M., was made the special order for eight o'clock P. M.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER.
April 4th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed, under suspension of the rules, Assembly Bill No 722—An Act to create a Board of Commissioners for the port of Eureka, on Humboldt Bay, and to prescribe their powers and duties.

Also, passed unanimously, Assembly Concurrent Resolution No. 73—Relative to correcting error in Assembly Bills Nos. 29 and 39.

Also, passed Assembly Concurrent Resolution No. 58—Relative to the loss of the United States steamer Oneida.

Also, amended and passed Assembly Bill No. 354—An Act to authorize the Treasurer of the City and County of San Francisco to pay James H. Clark the sum of four hundred and eighty dollars.

MARDIS,
Assistant Secretary.

Assembly Bill No. 354, above reported, Senate amendments concurred in.

At four o'clock and forty minutes P. M., on motion of Mr. Fortune, the House adjourned.

EVENING SESSION.

At seven o'clock and thirty minutes P. M. the House met pursuant to adjournment

Speaker in the chair.

Roll called.

Quorum present

Mr. Ryan, by leave, introduced a bill for an Act supplemental to an Act empowering the Board of Supervisors of the various counties of this State to aid in the construction of a railroad in their several counties

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved.

Mr. Gildea offered a concurrent resolution, granting leave of absence to Wm. N. Muffly, County Clerk of El Dorado County.

Read first and second times, rules suspended, read a third time and adopted

Also, a bill for an Act to confer further powers on Boards of Trustees of the several counties of this State.

Read first and second times, rules suspended, bill considered engrossed and, by unanimous consent, read a third time and passed; title approved

Mr. G. R. B. Hayes offered a concurrent resolution, correcting error in substitute for Assembly Bills Nos. 29 and 39.

Read first and second times and, by unanimous consent, read a third time and adopted

Mr. Horan offered the following resolution:

Resolved, That the sum of one hundred dollars is hereby allowed to Mark Foster for attending to the clocks in the Assembly Chamber during the session, payable out of the Contingent Fund of the Assembly

Indefinitely postponed.

SENATE MESSAGES.

The following messages were received from the Senate:

SENATE CHAMBER,
April 4th, 1870. }

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Assembly Concurrent Resolution No. 65—Instructing our Senators and Representatives in Congress to place our navy yards on a civil basis.

Also, Assembly Concurrent Resolution No. 67—Relative to return of Assembly Bill No. 324, by the Governor, for correction

Also, Assembly Concurrent Resolution No. 70—Deemed out of order.

Also, Assembly Bill No. 746—An Act to amend an Act, approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act providing for the government of Sacramento County.

Also, Assembly Concurrent Resolution No. 69—Asking Congress to grant aid, in the shape of a donation of land in El Dorado County, to carry forward a canal enterprise.

Also, Senate Bill No. 674—An Act to fix the terms for holding the Municipal Criminal Court of the City and County of San Francisco.

Also, Assembly Concurrent Resolution No 66—Relative to suspending joint rule number fifteen.

Also, Assembly Bill No 535—An Act for the relief of J W. Walker, Sheriff of Fresno County.

Also, Assembly Bill No. 653—An Act to secure a lien on live stock kept fed or pastured by ranchmen and stable keepers

Also, Assembly Bill No 501—An Act for the relief of the Hibernia Greens.

Also, Assembly Bill No 740—An Act amendatory of and supplementary to an Act to provide for the continuance and election of a Board of Supervisors for San Mateo County, and to define and limit the powers of said Board in certain cases, approved March twenty-fourth, eighteen hundred and sixty-four.

Also, Assembly Bill No. 728—An Act to amend an Act entitled an Act declaring certain rivers and creeks navigable.

Also, Assembly Bill No. 495—An Act regulating the collection of delinquent taxes in the County of Alameda

Also, Assembly Bill No. 545—An Act for the relief of J. J. McCredy. Read first and second times, and Senate refused to read the third time.

MARDIS,
Assistant Secretary.

SENATE CHAMBER, }
April 4th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed substitute for Assembly Bills Nos. 62 and 143—An Act to provide for a uniform system of ballots in this State, and other matters relating thereto.

Also, Assembly Bill No 749—An Act to create a Commission to examine and determine the validity of certain assessments and contracts for street work in the City and County of San Francisco

Also, return, with accompanying message, Assembly Bill No 154—An Act to ratify and confirm certain ordinances and resolutions of the Board of Supervisors of the City and County of San Francisco and proceedings had thereunder.

MARDIS,
Assistant Secretary.

SENATE CHAMBER, }
April 4th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Assembly Bill No. 752—An Act supplementary to an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties.

ROBERTS,
Secretary.

SENATE CHAMBER, }
April 4th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Assembly Bill No. 104—An Act concerning corporations for beneficial purposes.

Also, Assembly Bill No. 418—An Act to obtain and preserve genuine vaccine matter, and to provide for the vaccination of the children of this State.

ROBERTS,
Secretary.

Senate Bill No. 674, above reported, read first and second times

Mr. Naphtaly offered an amendment.

Adopted.

Read a third time and passed; title amended.

Senate Bill No. 675, above reported, read first and second times and, by unanimous consent, read a third time and passed; title approved

Mr. Moynihan moved to reconsider the vote by which the House, on Saturday, refused to pass Senate Bill No. 654—An Act to relieve encumbered real estate from double taxation.

On the motion to reconsider, the ayes and noes were demanded by Messrs. Naphtaly, Miller of Marin and Stephens, and it was reconsidered, by the following vote:

AYES—Messrs. Appling, Carothers, Doss, Duffy, Eichelroth, Fortune, Fryer, Gildea, Green, Griswold, Henley of Mendocino, Hihn, Horan, Hubner, Johnson, King, McClaskey, McMillan, Miller of Marin, Moynihan, Murphy of Santa Clara, Naphtaly, Oates, O'Connell, Odell, Pool, Rockwell, Ryan, Stephens, Thurston, Walden, Williams and Mr. Speaker—33.

NOES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Calderwood, Crigler, De Haven, Finney, Haile, Henley of Sonoma, Hudson, Inman, Kelley, Koutz, Lambert, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Munday, Newell, Power, Sammons, Scarce, Shores, Slicer, Waldron, York and Young—29

At eight o'clock P. M. the special order—Governor's message returning without approval Assembly Bill No. 643—was temporarily laid on the table.

Senate Bill No. 654 resumed.

Mr. Slicer moved to indefinitely postpone the bill.

Mr. Kelley moved a call of the House.

Lost.

Mr. McMillan moved the previous question.

Sustained.

On the motion to indefinitely postpone, the ayes and noes were demanded by the requisite number, and the House refused, by the following vote:

AYES—Messrs. Andrews, Berry, Biggs, Brown of Amador, Brown of Yuba, Crigler, De Haven, Duffy, Haile, Henley of Sonoma, Hudson, Inman, Kelley, Koutz, Lambert, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Munday, Newell, Power, Sammons, Scarce, Shoemaker, Shores, Slicer, Thurston, Waldron, York and Young—32.

NOES—Messrs. Appling, Carothers, Doss, Eichelroth, Escandon, Finney, Fortune, Fryer, Gildea, Green, Griswold, Hawley, G. R. B. Hayes, Henley of Mendocino, Horan, Hubner, Johnson, King, McClaskey, McMillan, Miller of Marin, Moynihan, Naphtaly, Oates, O'Connell, Odell, Pool, Rockwell, Romer, Ryan, Stephens, Walden, Williams and Mr. Speaker—34.

On the passage of the bill, the ayes and noes were demanded by Messrs Power, Biggs and Berry, and it passed, by the following vote :

AYES—Messrs Appling, Carothers, Doss, Duffy, Eichelroth, Escandon, Finney, Fortune, Fryer, Gildea, Green, Griswold, Hawley, G R B. Hayes, Henley of Mendocino, Horan, Hubner, Johnson, King, McClaskey, McMillan, Miller of Marin, Mooney, Moynihan, Naphitaly, Oates, O'Connell, Odell, Pool, Rockwell, Romer, Ryan, Stephens, Walden, Williams and Mr Speaker—34.

NOES—Messrs Andrews, Berry, Biggs, Brown of Amador, Brown of Yuba, Calderwood, Crigler, De Haven, Haile, Henley of Sonoma, Hudson, Inman, Kelley, Koutz, Lambert, Martin of Siskiyou, McMurry of El Dorado, McMurry of Trinity, Merritt, Miller of El Dorado, Munday, Newell, Power, Sammons, Scarce, Shoemaker, Shores, Slicer, Thurston, Waldron, York and Young—32.

Title approved

Mr Koutz, by leave, introduced a bill for an Act to authorize the Controller of State to issue a duplicate warrant

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed ; title approved.

REPORTS.

Mr McMurry of Trinity, from the Committee on Public Accounts and Expenditures, made the following report :

MR. SPEAKER: Your Committee on Public Accounts and Expenditures have examined and found correct the following bills:

| To whom due. | Amount. |
|--------------------------------------|---------|
| John Breuner, repairing chairs | \$12 00 |
| California <i>Farmer</i> | 18 00 |
| <i>Pacific</i> newspaper..... | 9 00 |
| I. S. Merrill..... | 5 00 |

And herewith report the following :

Resolved, That the Controller be instructed to draw his warrant on the Treasurer, in favor of the following named persons, for the amounts set opposite their names :

In favor of John Breuner, for twelve dollars.

In favor of California *Farmer*, for eighteen dollars.

In favor of *Pacific* newspaper, for nine dollars.

In favor of I. S. Merrill, for five dollars.

McMURRY (of Trinity) for Committee.

Resolution adopted

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 722—An Act to create a Board of Harbor Commissioners for the port of Eureka, on Humboldt Bay, and to prescribe their powers and duties

Also, Assembly Bill No. 653—An Act to secure a lien on live stock kept fed or pastured by ranchmen and stable keepers.

Also, Assembly Bill No. 354—An Act to authorize the Treasurer of the City and County of San Francisco to pay James H. Clark the sum of four hundred and eighty dollars

And this day, at eight o'clock and thirty minutes P. M., presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER, }
April 4th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, passed Assembly Bill No. 672—An Act concerning taxes on certain kinds of live stock and vehicles, in the County of Sierra.

Also, Senate Concurrent Resolution No. 69—Relative to granting leave of absence to C. E. Thom, District Attorney of Los Angeles.

Also, Senate Concurrent Resolution No. 70—Relative to leave of absence to the Surveyor of Santa Barbara County.

ROBERTS,
Secretary.

Senate Concurrent Resolution No. 70, above reported, read first and second times and, by unanimous consent, read a third time and adopted

Senate Concurrent Resolution No. 69, above reported, read first and second times and, by unanimous consent, read a third time and adopted

REPORTS.

Mr. King, from the Committee on Corporations, made the following report:

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bills Nos. 247, 278, 308, 552, 527, 355 and 300, have had the same under consideration and report them back, recommending their indefinite postponement.

KING, Chairman.

Report of committee concurred in.

Mr. Shoemaker, from the Santa Clara delegation, submitted the following reports:

MR. SPEAKER: The minority of the Santa Clara delegation have had Senate Bill No. 256—An Act to amend an Act entitled an Act to authorize the construction of a railroad from the City of San José to the Town of Santa Clara, passed March twenty-fourth, eighteen hundred and sixty-eight—under consideration, and recommend that it do not pass

MURPHY.

Mr. SPEAKER : The majority of the Santa Clara delegation have had the same bill under consideration, and recommend its passage.

SHOEMAKER,
THOMAS.

Senate Bill No 256, above reported, read a third time and passed ; title approved.

Mr Lewelling, from the Committee on Enrolment, made the following reports :

Mr. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 449—An Act amendatory and supplementary to an Act concerning crimes and punishments, approved April tenth, eighteen hundred and fifty, and amended March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No 438—An Act to locate the county seat for the County of Stanislaus.

Also, Assembly Bill No 748—An Act to fix the rate of taxation for State purposes.

Also, Assembly Bill No 743—An Act to amend an Act entitled an Act to provide for the paving the streets in the City and County of San Francisco, approved March fourteenth, eighteen hundred and sixty-eight.

And this day, at three o'clock P. M , presented the same to the Governor for his approval

LEWELLING, for Committee.

Mr. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 732—An Act for the relief of the free schools of the Presentation Convent of the City and County of San Francisco.

Also, Assembly Bill No 726—An Act to confer additional powers on the Board of Supervisors of Yuba County.

Also, Assembly Bill No 453—An Act supplementary to an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

And this day, at four o'clock P. M , presented the same to the Governor for his approval.

LEWELLING, for Committee.

Mr SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 500—An Act to authorize the construction of a swing or draw bridge across San Antonio Creek, in the County of Alameda

Also, Assembly Bill No. 735—An Act to amend an Act entitled an Act to regulate fees and salaries of officers, and defining their duties, in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No 606—An Act in relation to sales and conveyances made by the Pacific Savings and Homestead Association.

Also, Assembly Bill No 632—An Act entitled an Act to amend an Act entitled an Act authorizing Robert Betge and others to lay down and maintain a railroad in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No 700—An Act to provide for the payment of certain claims against the Second Township of the County of San Mateo.

Also, Assembly Bill No. 427—An Act in relation to the school lands of this State

Also, Assembly Bill No 568—An Act to incorporate the Town of Brooklyn and to define and establish the boundary line between said town and the City of Oakland.

Also, Assembly Bill No. 693—An Act to amend an Act entitled an Act to regulate fees of office, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No 612—An Act to provide for the construction of a Hall of Records at the county seat of the County of Sonoma, to authorize the Board of Supervisors to issue the bonds of the county therefor and to provide for the payment of the same

And this day, at eleven o'clock A. M., presented the same to the Governor for his approval.

LEWELLING, for Committee

MR SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 750—An Act to provide for a State Board of Equalization

Also, Assembly Concurrent Resolution No. 69—Asking Congress to grant aid, in the shape of a donation of land in El Dorado County, to carry forward a canal enterprise.

Also, Assembly Concurrent Resolution No 58—In relation to the loss of the United States steamer Oneida.

Also, Assembly Bill No. 354—An Act to authorize the Treasurer of the City and County of San Francisco to pay James H. Clarke the sum of four hundred and eighty dollars

Also, substitute for Assembly Bills Nos. 62 and 523—An Act to provide a uniform system of ballots in this State, and other matters relating thereto

Also Assembly Bill No 657—An Act making appropriations for the support of the civil Government of the State of California for the twenty-second and twenty-third fiscal years, commencing on the first of July, eighteen hundred and seventy, and ending on the thirtieth of June, eighteen hundred and seventy-two.

Also, Assembly Bill No 749—An Act to create a Commission to examine and determine the validity of certain assessments and contracts for street work in the City and County of San Francisco.

And this day, at eight o'clock and twenty minutes P. M., presented the same to the Governor for his approval

LEWELLING, for Committee.

Mr Ryan, from the Committee on Enrolment, made the following report:

MR SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled substitute for Assembly Bill No. 373—An Act to amend an Act entitled an Act to amend an Act entitled an Act amendatory of article four of an Act entitled an Act to repeal the several charters of the City and County of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six, repealing sections thirty-six to sixty-four, inclusive,

and Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said article four, approved April twenty-fifth, eighteen hundred and sixty-two, approved March twenty-sixth, eighteen hundred and sixty-eight.

And this day, at — o'clock, presented the same to the Governor for his approval.

RYAN, Chairman

Mr Freeman from the Committee on Enrolment, made the following report :

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 746—An Act to amend an Act, approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act providing for the government of Sacramento County

And this day, at nine o'clock P. M., presented the same to the Governor for his approval.

FREEMAN, for Committee

Mr. Lewelling, from the Committee on Enrolment, made the following report :

MR. SPEAKER: Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No 704—An Act concerning corporations for charitable and beneficial purposes.

Also, Assembly Bill No. 749—An Act amendatory of and supplementary to an Act to provide for the continuance of a Board of Supervisors of San Mateo County, and to define and limit the powers of said Board in certain cases, approved March twenty-fourth, eighteen hundred and sixty-four

And this day, at nine o'clock and ten minutes P. M., presented the same to the Governor for his approval.

LEWELLING, for Committee.

SENATE MESSAGE.

The following message was received from the Senate :

SENATE CHAMBER,
April 4th, 1870. }

MR. SPEAKER: I am directed to inform the Assembly that the Senate, on this day, amended and passed Assembly Bill No 663—An Act concerning the Board of Education of the City and County of San Francisco, and defining the duties and powers thereof

Also, Assembly Concurrent Resolution No 71—Relative to the building and personal property of the former State Reform School.

ROBERTS,
Secretary.

Assembly Bill No. 663, above reported, Senate amendments concurred in.

Mr. Naphtaly offered the following resolution :

Resolved, That this Assembly presents its thanks to Messrs. Amos Bowman of the Sacramento *Union*, and Edward Cutter and Barnes, of the Sacramento *Reporter*, for their faithful and correct reports of the proceedings of this body during the session.

Adopted.

Mr Gildea moved to take up Senate Bill No 656—An Act concerning crimes and punishments.

Carried

Read a third time and passed ; title approved.

Mr. Brown of Yuba, from the Committee on Enrolment, made the following report :

Mr. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No 728—An Act to amend an Act entitled an Act declaring certain rivers and creeks navigable.

Also, Assembly Bill No 501—An Act for the relief of the Hibernia Greens.

Also, Assembly Concurrent Resolution No. 65—Instructing our Senators and Representatives in Congress to place our navy yards on a civil basis.

Also, Assembly Bill No. 535—An Act for the relief of J. H. Walker, Sheriff of Fresno County

Also, Assembly Concurrent Resolution No 67—Petition to return Assembly Bill No 324, by Governor, for correction.

And this day, at ten o'clock P. M , presented the same to the Governor for his approval.

BROWN (of Yuba), for Committee.

Mr. Naphtaly offered the following resolution :

Resolved, That the resolution heretofore passed, providing for the payment to certain attachés of the Assembly, of one week's additional pay, be so far modified and rescinded as not to apply to the Pages ; and

Resolved, That the Pages of the Assembly shall be entitled to receive a month's additional pay.

Adopted.

Mr. Lewelling, from the Committee on Enrolment, made the following report :

Mr. SPEAKER : Your Committee on Enrolment beg leave to report that they have examined and find correctly enrolled Assembly Bill No 495—An Act regulating the collection of delinquent taxes in the County of Alameda.

Also, Assembly Bill No 418—An Act to obtain and preserve genuine vaccine matter and to provide for the vaccination of the children of this State.

And this day, at ten o'clock and ten minutes P. M , presented the same to the Governor for his approval.

LEWELLING, for Committee.

Mr. Gildea offered the following resolution :

Resolved, That the Speaker of the Assembly be authorized to examine and approve the Journal of the last day's proceedings

Adopted

Mr Carothers offered the following resolution :

Resolved, That the thanks of the Assembly are due and are hereby tendered to the Speaker, G. A. Rogers, for the able, efficient and impartial manner in which he has presided over the deliberations of this body during the eighteenth session

Mr. Duffy moved to amend, by inserting also the name of Charles Gildea, Speaker pro tem.

Accepted, and resolution as amended unanimously adopted.

Mr. O'Connell offered the following resolution :

Resolved, That the thanks of the Assembly are due and the same are hereby tendered to Robt Ferral, Chief Clerk; N. Benedict, Minute Clerk, and the Assistant Clerks at the desk, for the very able manner in which they have discharged the arduous duties devolved upon them.

Adopted

At eleven o'clock and five minutes P. M., on motion of Mr Haile, the House took a recess for ten minutes.

REASSEMBLED.

At eleven o'clock and fifteen minutes P. M. the House reassembled.

Speaker in the chair

Roll called.

Quorum present.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 4th, 1870.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly Bill No. 727—An Act amendatory of an Act entitled an Act supplementary to and amendatory of an Act entitled an Act to authorize the County of Placer to subscribe to the capital stock of the Central Pacific Railroad Company of California, and to provide for the payment of the same, and other matters relating thereto, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No 606—An Act in relation to sales and conveyances made by the Pacific Savings and Homestead Association.

Also, Assembly Bill No 476—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight

Also, Assembly Bill No. 700—An Act to provide for the payment of certain claims against the Second Township of the County of San Mateo.

Also, Assembly Bill No 656—An Act requiring the Board of Education of the City and County of San Francisco to equalize the salaries of the male and female teachers in said schools

Also, Assembly Bill No 734—An Act to submit to the qualified electors of the City and County of San Francisco a proposition to remit said city's and county's portion of all taxes on moneys received by savings institutions, banks and loan societies, secured by mortgage

Also, Assembly Bill No 611—An Act to authorize the Board of Supervisors of Mendocino County to levy an additional tax for the construction of a wagon road from Ukiah to Mendocino City, and to repair and improve the wagon road from Ukiah City to Cloverdale

Also, Assembly Bill No. 649—An Act to authorize and require the Board of Supervisors of Yolo County, to approve and certify certain claims against Swamp Land District Number Eighteen

Also, Assembly Bill No 715—An Act concerning the term of office of the Supervisors of Santa Cruz County.

Also, Assembly Bill No 427—An Act in relation to the school lands of the State

Also, Assembly Bill No 415—An Act to decrease the expenses of land litigation in the City and County of San Francisco

Also, Assembly Bill No 324—An Act concerning estrays and animals found running at large in the County of Santa Cruz

Also, Assembly Bill No 119—An Act to provide for the improvement of the rivers and streams of Santa Clara County

Also, Assembly Bill No. 162—An Act to authorize the Donner Lumber and Boom Company, their associates and assigns, to improve the channel of the Truckee River, from its source to the Town of Truckee, and to erect flood gates therein and collect tolls

Also, Assembly Bill No 743—An Act to amend an Act entitled an Act to provide for paving the streets in the City and County of San Francisco, approved March fourteenth, eighteen hundred and sixty-eight.

Also, Assembly Bill No 748—An Act to fix the rate of taxation for State purposes.

Also, Assembly Bill No. 674—An Act for the relief of John Haines.

Also, Assembly Bill No. 546—An Act for assessing and collecting revenue in the Town of San Buenaventura, and approving all ordinances and proceedings of the Town Trustees.

Also, Assembly Bill No. 438—An Act to locate the county seat for the County of Stanislaus

Also, Assembly Bill No 449—An Act to amend an Act, approved March twenty-eighth, eighteen hundred and sixty-eight, entitled an Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and Acts amendatory thereof and supplementary thereto.

Also, Assembly Bill No. 677—An Act in relation to labor and materials on the public buildings of the State of California

Also, Assembly Bill No. 512—An Act establishing a Commission for the revision of the laws

Also, Assembly Bill No. 726—An Act to confer additional power upon the Board of Supervisors of Yuba County

Also, Assembly Bill No 668—An Act amendatory of an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, approved April nineteenth, eighteen hundred and fifty.

Also, Assembly Bill No. 680—An Act appropriating money for the support of the several charitable institutions therein specified, during the twenty-second and twenty-third fiscal years, commencing on the first day of July, eighteen hundred and seventy, and ending on the thirtieth day of June, eighteen hundred and seventy-two, inclusive.

Also, Assembly Bill No. 453—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two

Also, Assembly Bill No. 626—An Act concerning the county records of the County of Santa Clara.

Also, Assembly Bill No. 706—An Act to amend an Act entitled an Act to provide means for the government of the County of Santa Cruz, and for the payment and the funding of the debt of said county, approved January thirty-first, eighteen hundred and seventy.

Also, Assembly Bill No. 685—An Act to establish a State Normal School.

Also, Assembly Bill No. 406—An Act to determine the lines and grades of streets, avenues, highways and lanes in the City and County of San Francisco

Also, Assembly Bill No. 583—An Act to provide for the erection of a City Hall in the City and County of San Francisco.

Also, Assembly Bill No. 589—An Act to provide for the protection of lands in the County of Sutter from overflow.

Also, Assembly Bill No. 540—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade certain streets in said city and county and to condemn private property for the roadway of said streets.

Also, Assembly Bill No. 735—An Act to amend an Act entitled an Act to regulate fees and salaries of officers and defining their duties in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 722—An Act to create a Board of Harbor Commissioners for the port of Eureka, on Humboldt Bay, and to prescribe their powers and duties.

Also, Assembly Bill No. 749—An Act to create a Commission to examine and determine the validity of certain assessments and contracts for street work in the City and County of San Francisco.

Also, Assembly Bill No. 747—An Act to empower the Boards of Supervisors of the several counties of this State to aid in the construction of a railroad in their respective counties

Also, Assembly Bill No. —An Act supplemental to an Act to empower the Boards of Supervisors of the several counties of this State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 657—An Act making appropriations for the support of the civil Government of the State of California for the twenty-second and twenty-third fiscal years, commencing on the first day of July, eighteen hundred and seventy, and ending on the thirtieth day of June, eighteen hundred and seventy-two.

Also, Assembly Bill No. 732—An Act for the relief of the free schools of the Presentation Convent of the City and County of San Francisco.

Also, Assembly Bill No. 667—An Act to provide funds for the construction and improvement of highways in the County of San Mateo.

Also, Assembly Bill No. 634—An Act authorizing the County Treasurer of the County of Santa Clara to pay certain claims against said county.

Also, Assembly Bill No. 548—An Act to authorize the Saucelito Land and Ferry Company to establish and maintain a public ferry between Marin County and the City and County of San Francisco.

Also, Assembly Bill No. 528—An Act for the relief of Thomas E. Hughes.

Also, Assembly Bill No. 171—An Act for the relief of John Cartheche, Deputy Sheriff of El Dorado County.

Also, Assembly Bill No. 104—An Act concerning corporations for charitable and beneficial purposes

Also, Assembly Bill No. 750—An Act to provide for a State Board of Equalization.

Also, Assembly Bill No. 698—An Act authorizing the issuance of State bonds to the amount of two hundred and fifty thousand dollars, to be known as State Capitol bonds

Also, Assembly Bill No. 57—An Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary laws for the City and County of San Francisco.

Also, Assembly Bill No. 653—An Act to secure a lien on live stock kept, fed or pastured by ranchmen and stable keepers

Also, Assembly Bill No. 495—An Act regulating the collection of delinquent taxes in the County of Alameda

Also, Assembly Bill No. 535—An Act for the relief of J. N. Walker, Sheriff of Fresno County.

Also, Assembly Bill No. 728—An Act to amend an Act entitled an Act declaring certain rivers and creeks navigable, passed February eighteenth, eighteen hundred and fifty-one

Also, Assembly Bills Nos. 433 and 373

H. H. HAIGHT,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 4th, 1879 }

To the Assembly of the State of California :

I return herewith to your honorable body, without my approval, substitute for Assembly Bills Nos. 29 and 39—An Act to establish a Board of Police Commissioners for the City and County of San Francisco, and to define their powers and duties

The objection to this bill is the provision making the Police Commissioners elective after the expiration of the terms of the first appointees. This would soon degrade the department and involve it in the mire of local politics. I have delayed the return of the bill in the hope that the effort to correct this feature of it would be successful

H. H. HAIGHT,
Governor.

On the question, " Shall substitute for Assembly Bills Nos. 29 and 39 pass, notwithstanding the objections of the Governor?" the roll was called, and the House refused to so pass the bill, by the following vote :

AYES—Messrs Eichelroth, Fortune Griswold, Hawley, G. R. B. Hayes, Henley of Sonoma, Horan, McMillan, Moynihan, Munday, Naphtaly, Newell, O'Connell, Odell, Rockwell, Romer, Ryan, Shoemaker, Stephens, Thurston and Mr Speaker—21.

NOES—Messrs Andrews, Appling, Berry, Blankenship, Brown of Yuba, Calderwood, Carothers, Colonel, Crigler, De Haven, Doss, Duffy, Freeman, Haile, Hubner, Hudson, Inman, Johnson, Kelley, Koutz, Lambert, Martin of Siskiyou, McClaskey, Merritt, Miller of El Dorado, Miller of Marin, Mooney, Murphy of Santa Clara, Pool, Power, Satterwhite, Scarce, Slicer, Walden, Waldron, York and Young—39.

Mr. Horan offered the following resolution :

Resolved, That a committee of three be appointed to wait on his Excellency the Governor, for the purpose of ascertaining if he has any further communications to make to the Assembly.

Adopted.

The Speaker appointed Messrs Horan, Doss and Waldron as said committee.

GOVERNOR'S MESSAGE.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT. }
Sacramento, April 4th, 1870. }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No 408—An Act to appropriate money for the relief of General John A. Sutter.

H. H. HAIGHT.
Governor

The hour of twelve o'clock, midnight, having arrived, and being the time set, by resolution this day adopted, for adjournment, the Speaker said :

GENTLEMEN OF THE ASSEMBLY : The hour has arrived for bringing our deliberations to a close. The Constitution has limited our sessions to one hundred and twenty days, and we are now in the last moments of that time. When I accepted the distinguished honor which you conferred upon me, in electing me as your presiding officer, it was with many doubts as to my qualifications to be equal to the emergencies which might arise. And as business has progressed, I have endeavored, to enforce the rules which you have adopted, without partiality, and whenever a doubt has arisen in regard to any of my rulings, you have always given me the benefit of the doubt. Never was a presiding officer more generously sustained by a generous body of men, and I can only account for it upon the ground that you had determined, in advance, to sustain your Speaker under all circumstances.

The results of our labors must be left for time to determine, and for promises not fulfilled, the people *will*, I hope and trust, hold us responsible.

It was expected that this Legislature would repeal or modify the intricate Registry Law ; that we would adopt some radical measures to prevent the importation and emigration of Asiatics among us ; that the burdensome rates of taxation would be reduced ; that assistance would be given to all the proper industries of the State, and, as far as possible, stop special legislation, which has been the great bane upon our statute books.

Taxation for State purposes for the next two years will be at the rate of eighty-five cents on the one hundred dollars, which includes payment for a deficiency of three hundred thousand dollars contracted since the adjournment of the last Legislature. Last year the tax was ninety-seven cents on the one hundred dollars, and the year previous it was one hundred cents on the one hundred dollars, an average reduction of taxation from the past two years of fourteen per cent

We sent on our protest against the so-called Fifteenth Amendment to

the Constitution of the United States, but despite our efforts, it has been promulgated as a part of the supreme law of the land. I do not look upon this as an amendment to the Constitution, but as a radical change in the Constitution itself. Many of the States which have given their consent to this measure have been forced to do so by Congress, at the point of the bayonet—a power used and a consent given which was not contemplated by the Constitution which our fathers made. It remains to be seen what effect this change in our form of Government will have upon our people. Free and independent States were never created for such a purpose as this; and when the centralized Government absorbs all the rights which the States now possess, *then* will our liberties end or a new struggle begin.

The majority party upon this floor have performed their part well. All the measures which they promised the people they would support have passed this body, and it is no fault of ours if they are not now upon the statute book.

The minority deserve well of their party. They have fought manfully every question of a partizan nature; and all that a Spartan band could do they have done. Numbering in your ranks some of the brightest intellects in the community, your influence will be felt in the future history of our State.

I thank you all, in behalf of the mechanics and laboring men of San Francisco, for the many laws which you have passed calculated to give them work, thereby preventing much suffering and filling their mouths with bread.

During the many exciting debates which we have had, no offensive word has come to my ears, and no expressions have been uttered which might afterwards cause ill feelings or regret. This uniformity of good feeling among members is unparalleled in the history of California Legislatures.

If at any time I have injured the feelings of any by an arbitrary ruling, I sincerely and humbly beg his pardon; for my heart's desire has been not to overlook the rights or injure the feelings of any.

For the uniform courtesy, kindness and respect which you have at all times shown to me, I am glad of this opportunity to thank you from the inmost recesses of my fervent heart. I thank the Chairmen and members of the various committees, for the manner in which they have executed the business placed in their hands. They have given entire satisfaction to the House. To all the Clerks, officers and attachés, down to the smallest Page, I desire to return my thanks for the assistance which they have always promptly given me in the discharge of my duties.

And, as we are about to part and go to our several homes, I hope that peace, health, happiness and prosperity may go with you all and continue with you; that you may be welcomed by your friends and constituents; that the gentle hand of a kind Heavenly Father may rest lightly upon you and lead you all, through a long life, to a green old age, and then gather you to your fathers like a shock of corn fully ripe; and may we all respond, when the grand roll shall be called in that Grand Lodge and General Assembly above, in that House not made with hands, eternal in the heavens.

Gentlemen, I bid you all an affectionate farewell.

In compliance with the resolution passed this morning, I pronounce this eighteenth session of the Assembly of California adjourned *sine die*.

ROBT. FERRAL, Chief Clerk.

GEO. H. ROGERS,
Speaker.