CALIFORNIA LEGISLATURE—ASSEMBLY.

TWENTY-SIXTH SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 5, 1885.

Pursuant to the Constitution, at the hour of twelve o'clock M., the Assembly of the Twenty-sixth Session of the Legislature of the State of California was called to order by the Chief Clerk of the Assembly.

PRAYER.

Prayer was offered by Rev. Dr. C. McKelvey.

APPOINTMENTS.

The Chief Clerk made the following appointments:

Assistant Clerks—George W. Herbert and Julius Reimer.
Journal Clerk—George W Peckham.
Assistant Minute Clerk—W. E Bond.
Assistant Sergeant-at-Arms—J. W Hamilton.
Clerk to Sergeant-at-Arms—Charles Stanton.
Gatekeepers—J. Devine, E. Van Heusen, and B. F. Alexander.
Pages—Willie Jolison, J. E. Mandeville, F. J. Pierce, David Foltz, Samuel McClintock, Carey Mathews, and S. Bones.
Postmistress—Miss Fannie Burnett.
Mail Carrier—A T. Parsons.
Porters—W. R. Hall, John A. Barber, and Hampton Whitaker.
Night Watchman—John Williams.
Day Watchman—Hiram Clock.

Mr. Parks moved that each member be permitted to take his seat and oath of office on the roll call presented by the Secretary of State.

Adopted.

The credentials of members were then presented to the Clerk.

ROLL CALL.

The roll was called and the following members elect presented themselves and were duly qualified by taking the following oath of

office, administered by the Hon. W. C. Van Fleet, Judge of the Superior Court of the County of Sacramento:

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

First District—Del Norte and Siskiyou · J. K. Johnson.
Second District—Humboldt: J. Russ.
Third District—Humboldt · J. H. G. Weaver.
Fourth District—Trinity and Shasta John Yule.
Fifth District—Modoc and Lassen · T. A. Roseberry.
Sixth District—Plumas and Sierra George Wood.
Seventh District—Tehama · J. F Ellison.
Eighth District—Butte Allen Henry.
Ninth District—Butte John M. Ward.
Tenth District—Colusa · Robert Barnett.
Eleventh District—Mendocino Whit. Henley.
Twelfth District—Lake E W. Britt.
Thirteenth District—Sutter and Yuba · W. H. Parks
Fourteenth District—Nevada A. Walrath.
Fifteenth District—Nevada: C F. McGlashan.
Sixteenth District—Placer: G H. Colby.
Seventeenth District—El Dorado. E. H. Watson.
Eighteenth District—Sacramento · W. J. Davis.
Nineteenth District—Sacramento: C. T. Jones.
Twentieth District—Sacramento Dwight Hollister.
Twenty-first District—Yolo C. B. Culver.
Twenty-second District—Napa: H A. Pellet.
Twenty-third District—Sonoma · W. T. Mears.
Twenty-fourth District—Sonoma · S. I. Allen.
Twenty-fifth District—Sonoma M. E. C. Munday.
Twenty-sixth District—Solano D. G. Barnes
Twenty-seventh District—Solano: R. C. Carter.
Twenty-eighth District—Marin Joseph Almy
Twenty-ninth District—San Francisco James H. Daley.
Thirtieth District—San Francisco E. C. Kalben.
Thirty-first District—San Francisco · P. Deveny.
Thirty-second District—San Francisco: Joseph Franklin.
Thirty-third District—San Francisco: W. B May.
Thirty-fourth District—San Francisco · F. W. Hussey.
Thirty-fifth District—San Francisco, N. T. Whitcomb.
Thirty-sixth District—San Francisco John Lafferty.
Thirty-seventh District—San Francisco M. J. Sullivan.
Thirty-eighth District—San Francisco · W. B. Hunt.
Thirty-ninth District—San Francisco. C H. Ward.
Fortieth District—San Francisco · D. J. Leary
Forty-first District—San Francisco H. C. Firebaugh.
Forty-second District—San Francisco: V. C McMurray, Jr.
Forty-third District—San Francisco · E F Loud.
Forty-fourth District—San Francisco: F M. Lovell.
Forty-fifth District—San Francisco · H K McJunkin.
Forty-sixth District—San Francisco T H. McDonald.
Forty-seventh District—San Francisco C. D. Douglas.
Forty-eighth District—San Francisco. Frank French
Forty-ninth District—San Mateo J. V. Coleman.
Fiftieth District—Santa Cruz. Lucien Heath.
Fifty-first District—Alameda · J. F. Black.
Fifty-second District—Alameda T. C. Morris.
Fifty-third District—Alameda F. J. Moffitt.
Fifty-fourth District—Alameda Walter M Heywood.
Fifty-fifth District—Alameda: W. H. Jordan.
Fifty-sixth District—Alameda G W. Watson.
Fifty-seventh District—Contra Costa G. W. T. Carter.
Fifty-eighth District—San Joaquin. H. J. Corcoran.
Fifty-ninth District—San Joaquin F. J. Woodward.
Sixtieth District—Amador: U. S. Gregory.
Sixty-first District—Calaveras · M. S. Torrey.
Sixty-second District—Tuolumne · W G Long.
Sixty-third District—Santa Clara: W. T. Patterson.
Sixty-fourth District—Santa Clara · J. W. Cook.

Sixty-fifth District—Santa Clara · D. M. Pyle.
Sixty-sixth District—Stanislaus: E. B Beard.
Sixty-seventh District—Merced and Mariposa: G. G. Goucher.
Sixty-eighth District—San Benito M T. Dooling.
Sixty-ninth District—Monterey · S. N. Laughlin.
Seventieth District—Fresno: A. M. Clark.
Seventy-first District—Tulare E DeWitt.
Seventy-second District—Alpine, Mono, and Inyo: R. J. Van Voorhies.
Seventy-third District—San Luis Obispo Arza Porter.
Seventy-fourth District—Santa Barbara. A. McLean.
Seventy-fifth District—Kern and Ventura: R. I. Ashe.
Seventy-sixth District—Los Angeles: J. Banbury.
Seventy-seventh District—Los Angeles: H. T. Hazard.
Seventy-eighth District—Los Angeles E. E. Edwards.
Seventy-ninth District—San Bernardino T. Reeves.
Eightieth District—San Diego: T. J. Swayne.

Quorum present.

RESOLUTION.

By Mr. May:

Resolved, That the standing rules of the twenty-fifth session be adopted until otherwise ordered.

Adopted.

Mr. May, at twelve o'clock and forty minutes P. M., moved that the House take a recess until seven o'clock and thirty minutes P. M.

So ordered.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the House reassembled. Chief Clerk Leake in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Kalben, Lafferty, Laughlin, Leary, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Parks, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Yule.

Quorum present.

Chief Clerk Leake announced that nominations for Speaker of the House were in order.

ELECTION OF SPEAKER.

Mr. May nominated W. H. Parks of Yuba.

Mr. Moffitt nominated J. V. Coleman of San Mateo.

The roll was called, with the following result:

For Parks—Messrs. Allen, Almy, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Yule

For Coleman—Messrs Ashe, Beard, Black, Britt, Clark, Corcoran, DeWitt, Dooling, Goucher, Gregory, Henley, Henry, Johnson, Leary, McDonald, Munday, Moffitt, Morris, Parks, and Watson of El Dorado.

Whole number of votes cast	75
Necessary to a choice	38
W. H. Parks received	57
J. V. Coleman received	18

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

Mr. Coleman of San Mateo, Mr. May of San Francisco, and Mr. Moffitt of Alameda, were appointed a committee to conduct the Speaker elect to the chair.

The oath of office was now administered to Speaker Parks by Hon. W. B. May of San Francisco.

Speaker Parks in the chair.

ELECTION OF CHIEF CLERK.

Nominations for Chief Clerk declared in order.
Mr. Jones of Sacramento nominated Mr. F. D. Ryan.
Mr. Coleman of San Mateo nominated Mr. Ed. E. Leake.
The roll was called, with the following result:

For Ryan—Messrs. Allen, Almy, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Patterson, Parks, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Yule.

For Leake—Messrs. Ashe, Beard, Black, Britt, Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Henley, Henry, Johnson, Leary, McDonald, Moffitt, Morris, and Watson of El Dorado.

Whole number of votes cast	76
Necessary to a choice	39
Mr. Ryan received	57
Mr. Leake received	19

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

ELECTION OF SERGEANT-AT-ARMS.

Nominations for Sergeant-at-Arms were declared in order.
Mr. Hazard of Los Angeles nominated Mr. Jerome Porter.
Mr. Black of Alameda nominated Mr. James M. Farrelly.
The roll was called, with the following result:

For Porter—Messrs. Allen, Almy, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Patterson, Parks, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Yule.

For Farrelly—Messrs. Ashe, Barnett, Beard, Black, Britt, Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Henley, Henry, Leary, McDonald, Moffitt, Morris, and Watson of El Dorado.

Whole number of votes cast	77
Necessary to a choice	39
Mr. Porter received	58
Mr. Farrelly received	19

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

RESOLUTION.

By Mr. May:

Resolved, That the Clerk be instructed to notify the Senate that the Assembly is organized by the election of Hon. William H. Parks as Speaker, Frank D. Ryan, as Chief Clerk, and Jerome Porter as Sergeant-at-Arms, and awaits its pleasure in legislative business.

Adopted.

ADJOURNMENT.

At eight o'clock and ten minutes, on motion of Mr. Davis of Sacramento, the House adjourned until one o'clock P. M. Tuesday.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 6, 1885.

The House met pursuant to adjournment.
Speaker Parks in the chair.
Roll called, and the following members answered to their names:

Messrs. Allen, Almy, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Clark, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Ellison, Franklin, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Laughlin, Leary, Long, Loud, Lovell, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

PRAYER BY THE CHAPLAIN.

Prayer was offered by the Rev. Mr. Davis of Sacramento.
Mr. Porter, Sergeant-at-Arms elect, and Mr. Ryan, Chief Clerk elect, came forward and took the oath of office, as follows:

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

READING AND APPROVAL OF MINUTES.

Pending the reading of the minutes, Mr. Corcoran of San Joaquin moved to dispense with their further reading.
Lost.
Journal of Monday read, corrected, and approved.

ELECTION OF SPEAKER PRO TEM.

Nominations for Speaker pro tem. were declared in order.

Mr. McGlashan of Nevada nominated Mr. J. H. G. Weaver of Humboldt.

Mr. Coleman of San Mateo nominated Mr. T. C. Morris of Alameda.

The roll was called, with the following result:

For Weaver—Messrs. Allen, Almy, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Waid of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker.

For Morris—Messrs Ashe, Barnett, Beard, Black, Britt, Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Henley, Henry, Johnson, Leary, McDonald, Moffitt, Munday, Watson of El Dorado, and Weaver.

Whole number of votes cast	75
Necessary to a choice	38
Mr. Weaver received	54
Mr. Morris received	21

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

ELECTION OF ASSISTANT CLERKS.

Mr. McJunkin moved that the House vote for two clerks at the same time.

So ordered.

Mr. Jordan of Alameda nominated Messrs. C. F. Long and Aaron Smith.

Mr. Coleman of San Mateo nominated Messrs. Julius Reimer and George W. Herbert.

The roll was called, with the following result:

For Smith and Long—Messrs. Allen, Almy, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker.

For Herbert and Reimer—Messrs. Ashe, Barnett, Beard Black, Britt, Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Henley, Henry, Johnson, Leary, Moffitt, Morris, Munday, and Watson of El Dorado.

Whole number of votes cast	75
Necessary to a choice	38
Messrs. Long and Smith received	55
Messrs. Reimer and Herbert received	20

Messrs. Long and Smith, having received a majority of all the votes cast, were declared elected Assistant Clerks.

ELECTION OF ASSISTANT SERGEANT-AT-ARMS.

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

Mr. Firebaugh of San Francisco nominated Mr. A. F. Chapman.

Mr. Watson of El Dorado nominated Mr. James P. Martin.

The roll was called, with the following result:

For Chapman—Messrs. Allen, Almy, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Davis, Deveny, Edwards, Ellison, Firebaugh, Franklin, French,

Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker.

For Martin—Messrs Ashe, Barnett, Beard, Black, Britt, Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Henley, Henry, Johnson, Leary, Moffitt, Morris, Munday, and Watson of El Dorado.

Whole number of votes cast	71
Necessary to a choice	36
Mr. Chapman received	51
Mr. Martin received	20

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

ELECTION OF MINUTE CLERK.

Nominations for Minute Clerk declared in order.

Mr. McJunkin of San Francisco nominated Mr. Thomas E. Atkinson.

Mr. Beard of Stanislaus nominated Mr. George B. Crandall.

The roll was called, with the following result.

For Atkinson—Messrs Allen, Almy, Banbury, Barnes, Carter of Contra Costa, Colby, Cook, Culver, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McJunkin, McLean, McMurray, Mears, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker.

For Crandall—Messrs. Ashe, Barnett, Beard, Black, Britt, Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Henley, Henry, Johnson, Leary, Moffitt, Morris, Munday, and Watson of El Dorado.

Whole number of votes cast	70
Necessary to a choice	36
Mr. Atkinson received	50
Mr Crandall received	20

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

ELECTION OF JOURNAL CLERK.

Nominations for Journal Clerk were declared in order.

Mr. Pyle of Santa Clara nominated Mr. Frank J. Brandon.

Mr. Johnson of Siskiyou nominated Mr. George W. Peckham.

The roll was called, with the following result:

For Brandon—Messrs. Allen, Almy, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McMurray, Mears, Pellet, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker.

For Peckham—Messrs Ashe, Barnett, Beard, Black, Britt, Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Henley, Henry, Johnson, Leary, Moffitt, Morris, Munday, and Watson of El Dorado.

Whole number of votes cast	70
Necessary to a choice	36
Mr. Brandon received	50
Mr. Peckham received	20

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

Nominations for Enrolling Clerk were declared in order.
Mr. Davis of Sacramento moved to pass the order of business.
So ordered.

ELECTION OF ENGROSSING CLERK.

Nominations for Engrossing Clerk were declared in order.
Mr. McMurray of San Francisco nominated Mr. Jacob Shaen.
Mr. Gregory of Amador nominated Mr. C. B. Swift.
The roll was called, with the following result:

For Shaen—Messrs. Allen, Almy, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker.

For Swift—Messrs. Ashe, Barnett, Beard, Black, Britt, Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Henley, Henry, Johnson, Leary, Moffitt, Morris, Munday, and Watson of El Dorado.

Whole number of votes cast	74
Necessary to a choice	38
Mr. Shaen received	54
Mr. Swift received	20

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

RESOLUTIONS.

By Mr. Davis:

Resolved, That Rev. Carroll M. Davis be and he is hereby appointed Chaplain of the Assembly, and that his per diem be fixed at six dollars, payable out of the Contingent Fund of the Assembly.

Mr. Corcoran moved the indefinite postponement of the resolution.
Lost.
The resolution was then adopted.
By Mr. Watson:

Resolved, That Frank W. Marston be and he is hereby appointed Assistant Journal Clerk of the Assembly, whose pay shall be the same as his principal, to be paid out of the Assembly Contingent Fund.

Adopted.
By Mr. Lovell:

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

Adopted.
The Speaker then appointed the following committee: Messrs. Lovell, Coleman, and Heath.
By Mr. May:

Resolved, That the Chair be authorized to appoint all needful Watchmen, Porters, and other subordinate employés, at the usual per diem, to be paid out of the Contingent Fund of the Assembly, and the condition of every appointment shall be, that the incumbent shall neither ask for nor receive any extra allowance of pay during the session.

Adopted.

By Mr. Allen:

Resolved, That R. D. Cannon be and he is hereby appointed Assistant Minute Clerk of the Assembly, at a per diem of eight dollars, payable out of the Contingent Fund of the Assembly.

Adopted.

ELECTION OF POSTMISTRESS.

Nominations for Postmistress were declared in order.
Mr. Jones of Sacramento nominated Mrs. Stratton.
Mr. Coleman of San Mateo nominated Miss Fannie Burnett.
The roll was called, with the following result:

For Mrs. Stratton—Messrs. Allen, Almy, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr Speaker.

For Miss Burnett—Messrs. Ashe, Barnett, Beard, Black, Britt, Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Henley, Henry, Johnson, Leary, Moffitt, Morris, and Watson of El Dorado.

Whole number of votes cast	73
Necessary to a choice	37
Mrs. Stratton received	54
Miss Burnett received	19

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

RESOLUTION.

By Mr. Britt:

Resolved, That the seats in the Assembly Chamber be assigned by lot among the members, and that the Speaker appoint a committee of three to arrange the details of the drawing for the same.

Mr. Jordan moved to lay the resolution on the table.
So ordered.
Mr. J. H. G. Weaver, Speaker pro tem.; Mr. C. F. Long and Mr. Aaron Smith, Assistant Clerks; Mr. A. F. Chapman, Assistant Sergeant-at-Arms; Mr. Thomas E. Atkinson, Minute Clerk; Mr. Frank J. Brandon, Journal Clerk; Mr. Jacob Shaen, Engrossing Clerk; Mrs. L. C. Stratton, Postmistress; Mr. Frank W. Marston, Assistant Journal Clerk; and Mr. R. D. Cannon, Assistant Minute Clerk, officers elect, now came forward and took the oath of office, as follows:

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

RESOLUTION.

By Mr. Corcoran:

Resolved, That the Secretary of State be authorized to purchase, and pay for out of the Contingent Fund of the Assembly, one hundred copies of the latest pocket edition of the Codes of California.

Adopted.

The Speaker laid before the House the papers in the contested election case of Julius Buhlert vs. D. J. Leary, in the Fortieth Assembly District of California; also, the papers in the contested election case of W. B. Tyler vs. T. C. Morris, in the Fifty-second Assembly District of California.

Mr. Davis of Sacramento moved that the same be laid on the table until the appointment of the Committee on Elections.

So ordered.

REPORT OF SPECIAL COMMITTEE.

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

LOVELL.
COLEMAN.
HEATH.

ADJOURNMENT.

At two o'clock and forty-five minutes, on motion of Mr. Reeves, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 7, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

Roll called, and the following members answered to their names:

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Leary, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer was offered by the Chaplain.

Pending the reading of the minutes, Mr. Carter of Contra Costa moved to dispense with their further reading.

Lost.

Journal of Tuesday read, corrected, and approved.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Mr. Kalben of San Francisco.

Mr. Porter of San Luis Obispo was granted an indefinite leave of absence.

RECESS.

Mr. Goucher moved that a recess for three quarters of an hour be taken.

So ordered.

REASSEMBLED.

The House reassembled.
Speaker Parks in the chair.

APPOINTMENTS.

The following appointments were made by the Speaker:

Pages—Donald Denison, Sherman McDowell, Wilke Edwards, Geller Ameraux, William H. Finnie, and Charles Luse
Porters—John Baker, —— Whitcomb, Martin Morello, James Phillips, James McDonald, Jr., and George Edwards
Mail Carrier—John Hawkins.
Assistant Postmaster—Charles Wood.
Doorkeeper—Horatio Balch.
Gatekeepers—Eugene Jackson, Henry B. Everett, and Charles Reed.
Watchmen—Charles Duehane, John W. Nash, John L. Robinson, and B. A. Johnson.
Clerk to Sergeant-at-Arms—F. G. Huskey.
Assistant Clerk to Sergeant-at-Arms—A. Norris.

RESOLUTIONS.

By Mr. Ward:

Resolved, That Edward J. Smith be and he is hereby appointed Third Assistant Clerk at the desk, at the same per diem as the other assistants, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

So ordered.

Mr. Loud moved that Mr. Britt's resolution to allot the seats of the Assemblymen be taken from the table.

Roll call demanded.

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

AYES—Messrs. Almy, Barnett, Beard, Black, Britt, Carter of Solano, Clark, Daley, DeWitt, Douglas, French, Henry, Lafferty, Loud, McLean, McMurray, Roseberry, Sullivan, Torrey, Van Voorhies, Ward of San Francisco, and Whitcomb—22.

NOES—Messrs. Allen, Ashe, Banbury, Barnes, Carter of Contra Costa, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, Dooling, Edwards, Ellison, Firebaugh, Gouchet, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Laughlin, Leary, Loud, Lovell, May, McGlashan, McJunkin, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Russ, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, Yule, and Mr. Speaker—53.

By Mr. Ward:

Resolved, That a committee of three be appointed by the Chair, with power to consider and report a better disposition of the seats in the House.

Mr. Weaver moved to indefinitely postpone the resolution.

So ordered.

Edward J. Smith, Assistant Clerk elect, now came forward, and took the oath of office, as follows:

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

ADJOURNMENT.

At eleven o'clock and forty minutes, on motion of Mr. May, the House adjourned to eleven o'clock A. M. Thursday, January 8, 1885.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
THURSDAY, January 8, 1885.

The House met pursuant to adjournment.
Speaker Parks in the chair.
The roll was called, and the following members answered to their names:

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, Leary, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.
Prayer by the Chaplain.

LEAVE OF ABSENCE.

Mr. Coleman was granted leave of absence for the day.
Journal of Wednesday read and approved.

RESOLUTIONS.

By Mr. Goucher:

Resolved, That when the Assembly adjourns to-day, it be in commemoration of the valor, virtues, and patriotism displayed by American soldiers in the victory at New Orleans, January 8, 1815.

So ordered.
By Mr. Daley:

Resolved, That J. Carroll be and he is hereby appointed a Page for the Clerk's desk, to receive the same per diem as the other Pages.

Referred to Committee on Attachés and Employés.

APPOINTMENT OF COMMITTEES.

The Speaker announced the following standing committees:

Committee on Judiciary—J. F. Ellison, H. T. Hazard, H. C. Firebaugh, R. I. Ashe, H. K. McJunkin, J. G. Weaver, George Wood, E. W. Britt, C. F. McGlashan, G. H. Colby, M. E. C. Munday, V. C. McMurray, Charles T. Jones.
Committee on Mileage—John Lafferty, Allen Henry, P. Deveny.
Committee on Elections—V. C. McMurray, D. G. Barnes, H. C. Firebaugh, J. W. Cook, E. H. Watson, J K. Johnson of Siskiyou, M. E. C. Munday.
Committee on Rules—J. H. G. Weaver, J. V. Coleman, W. H. Jordan, H. J. Corcoran, John Yule.

The papers on contested elections were referred by the Speaker to the Committee on Elections.

MOTION TO ADJOURN.

Mr. Davis moved to adjourn until Monday, January 12, 1885, at one o'clock P. M.

Mr. McGlashan moved to amend to eleven o'clock Friday, January 9, 1885.

Roll call demanded.

Amendment lost by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, DeWitt, Dooling, Edwards, Ellison, Goucher, Gregory, Hazard, Heath, Hollister, Johnson, Laughlin, Loud, McGlashan, McJunkin, McLean, Mears, Patterson, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Watson of El Dorado, Weaver, Wood, and Woodward—38.

NOES—Messrs. Ashe, Barnett, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Firebaugh, Franklin, French, Henley, Henry, Heywood, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Leary, Long, Lovell, May, McDonald, McMurray, Moffitt, Morris, Munday, Pellet, Sullivan, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Yule, and Mr Speaker—39.

Mr. Carter moved to amend to Friday, January 9, 1885, at ten o'clock A. M.

Roll call demanded.

The amendment was lost by the following vote:

AYES—Messrs. Banbury, Barnes, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, DeWitt, Dooling, Edwards, Firebaugh, Goucher, Gregory, Hazard, Heath, Hollister, Johnson, Loud, McGlashan, McJunkin, McLean, Patterson, Pyle, Reeves, Roseberry, Russ, Torrey, Watson of El Dorado, Weaver, Wood, and Woodward—34.

NOES—Messrs: Allen, Almy, Ashe, Barnett, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Ellison, Franklin, French, Henley, Henry, Heywood, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Leary, Long, Lovell, May, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Yule, and Mr. Speaker—42.

The original motion was withdrawn.

Mr. Davis moved that the House adjourn until ten o'clock A. M. Monday, January 12, 1885.

Roll call demanded.

The motion was carried by the following vote:

AYES—Messrs. Almy, Ashe, Barnes, Barnett, Black, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Ellison, French, Henley, Henry, Heywood, Jones, Jordan, Lafferty, Leary, Long, Lovell, May, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Reeves, Sullivan, VanVoorhies, Walrath, Watson of Alameda, Ward of San Francisco, Whitcomb, Yule, and Mr. Speaker—38.

NOES—Messrs. Allen, Banbury, Beard, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, DeWitt, Dooling, Edwards, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Hollister, Hunt, Hussey, Johnson, Loud, McGlashan, McJunkin, McLean, Patterson, Pyle, Roseberry, Swayne, Torrey, Watson of El Dorado, Ward of Butte, Weaver, Wood, and Woodward—36.

The House adjourned at eleven o'clock and forty-five minutes, until ten o'clock A. M. Monday, January 12, 1885.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 12, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Leary, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

Journal of Thursday read and approved.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Heath:

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

So ordered.

By Mr. McMurray:

Resolved, That the Committee on Elections be allowed a clerk, at the per diem of five dollars, payable out of the appropriation for the contingent expenses of the Assembly.

So ordered.

By Mr. Jordan:

Resolved, That the Postmistress be and she is hereby authorized to rent a box in the Post Office for the reception of the Assembly mail.

So ordered.

INTRODUCTION OF BILLS.

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

By Mr. Carter: Assembly Bill No. 1—An Act relating to barbed wire fences.

Referred to Committee on Agriculture.

By Mr. May: Assembly Bill No. 2—An Act to authorize the Board of State Harbor Commissioners to pay the claims of John G. Wilkins.

Referred to Committee on Claims.

Also, Assembly Bill No. 3—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 4—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 5—An Act to amend section eighteen hundred and fifty-eight of the Political Code of the State of California, relating to public schools.

Referred to Committee on Education.

Also, Assembly Bill No. 6—An Act to add a new section to the Political Code, to be known as section six hundred and thirty-five, relative to the advertisement of insurance corporations.

Referred to Committee on Corporations.

Also, Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kinds of insurance.

Referred to Committee on Corporations.

Also, Assembly Bill No. 8—An Act to amend section three hundred and thirty-two of the Civil Code, to provide for the levying of assessments by corporations.

Referred to Committee on Corporations.

By Mr. Davis: Assembly Bill No. 9—An Act to amend section three hundred and seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the sale and smoking of opium, or the preparation thereof.

Referred to Committee on Judiciary.

By Mr. Heath: Assembly Bill No. 10—An Act to promote industry.

Referred to Committee on Agriculture.

Also, Assembly Bill No. 11—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Referred to Committee on Agriculture.

By Mr. Jordan: Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the adult blind of the State of California.

Referred to Committee on Education.

By Mr. Britt: Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the boundaries of Lake County.

Referred to Committee on Counties and County Boundaries.

By Mr. Swayne: Assembly Bill No. 14—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments."

Referred to Committee on County and Township Governments.

By Mr. Dooling: Assembly Bill No. 15—An Act to amend section one thousand two hundred and seventy-six of the Code of Civil Procedure, relating to change of name.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 16—An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12,

1874, providing for a change and the establishment of the boundaries thereof, the same to include therein portions of the Counties of Fresno and Merced, and to provide for the payment of the portions of the debts of said counties equitably chargeable to San Benito County.

Referred to Committee on Counties and County Boundaries.

By Mr. Allen: Assembly Bill No. 17—An Act to authorize and empower County Physicians and Resident Physicians of County and City and County Hospitals within the State of California to administer oaths.

Referred to Committee on Judiciary.

By Mr. Moffitt: Assembly Bill No. 18—An Act to amend sections one thousand nine hundred and seventeen and one thousand nine hundred and twenty of an Act entitled "An Act to establish a Civil Code," relating to interest payable upon moneys, and upon contract when not specially controlled, and on judgments.

Referred to Committee on Judiciary.

By Mr. McGlashan: Assembly Bill No. 19—An Act to provide for the division of existing counties, and for the creation of new counties; to determine the location of county seats by an election; to declare the manner of providing officers; to provide funds for their support by the issuance of bonds, and to determine what portion of old county debts is chargeable to such new counties.

Referred to Committee on County and Township Governments.

By Mr. Barnett: Assembly Bill No. 20—An Act entitled "An Act to subject certain reclamation districts in the State to the provision of the Political Code relating to procedure for the levy of assessments in reclamation districts for reclamation purposes."

Referred to Committee on Swamp and Overflowed Lands.

Also, Assembly Bill No. 21—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors."

Referred to Committee on Judiciary.

By Mr. Weaver: Assembly Bill No. 22—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds and to pay certain claims out of the General Fund.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit or otherwise.

Referred to Committee on Judiciary

Also, Assembly Bill No. 24—An Act to regulate and improve the civil service of the State of California.

Referred to Committee on Judiciary.

By Mr. Firebaugh: Assembly Bill No. 25—An Act to amend section one hundred and eighty-seven of the Civil Code.

Referred to Committee on Judiciary.

By Mr. Jordan: Assembly Bill No. 26—An Act to amend section one thousand one hundred and eighty-seven of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Mr. Edwards: Assembly Bill No. 27—An Act to add two new sections to "An Act to establish a Political Code," to be numbered, respectively, three thousand one hundred and twelve and three

thousand one hundred and thirteen, in relation to the duties and powers of Boards of Supervisors over cemeteries and places of burial situated in incorporated towns or villages in this State, and to authorize them to prevent further interments therein, and to provide for the removal of bodies therefrom, when the sanitary conditions of such towns are endangered by them.

Referred to Committee on County and Township Governments.

By Mr. Ward: Assembly Bill No. 28—An Act to amend section one hundred and seventy of the Code of Civil Procedure, relating to judicial incapacity.

Referred to Committee on Judiciary.

APPOINTMENT OF COMMITTEES.

The Speaker announced the following Standing Committees:

On Agriculture—Messrs. G. W. T. Carter, Chairman; F. J. Woodward, E. B. Beard, S. I. Allen, Arza Porter, A. M. Clark, and Dwight Hollister

On Agriculture, Mining, and Mechanic Arts College—Messrs. R. J. Van Voorhies, Chairman; Charles H. Ward, F. J. Moffitt, U. S Gregory, T A. Roseberry, J. W. Cook, and E. F. Loud.

On Attachés and Employés—Messrs. F. W. Hussey, Chairman; T. A. Roseberry, W. T. Mears, R. I. Ashe, and M. T. Dooling.

On Chinese Immigration and Emigration—Messrs M. J. Sullivan, Chairman, W M. Heywood, C. D. Douglas, J. F. Ellison, T. J. Swayne, D. J. Leary, Allen Henry, E. DeWitt, and Arza Porter.

On Claims—Messrs. T. J. Swayne, Chairman; W. J. Davis, Geo. Wood, N T. Whitcomb, G. W. Watson, J K. Johnson, and G. W. T. Carter.

On Constitutional Amendments—Messrs. Lucien Heath, Chairman; J. F. Ellison, D. M Pyle, E W. Britt, and T. C Morris.

On Commerce and Navigation —Messrs. F. M. Lovell, Chairman; W. B. Hunt, Frank French, C. D. Douglas, and Joseph Franklin.

On Corporations—Messrs. C. T. Jones, Chairman, Jos. Russ, G H. Colby, P. Deveny, R. I. Ashe, E. E Edwards, J. F. Black, J. H. Daley, and N. T. Whitcomb.

On County and County Boundaries—Messrs J. M. Ward, Chairman; G. H. Colby, W. G. Long, G. G. Goucher, R. J. Van Voorhies, A. M. Clark, H J. Corcoran, and C. D Douglas

On County and Township Governments—Messrs. E. E. Edwards, Chairman; A. Walrath, R. J. VanVoorhies, A. McLean, U. S. Gregory, Whit. Henley, S N. Laughlin, H. K. McJunkin, and Geo. W. Watson.

On Crimes and Penalties—Messrs. Frank French, Chairman; T. C. Morris, H. A. Pellet, C. B. Culver, and T. H. McDonald.

On Culture and Improvement of the Grapevine—Messrs. H. A. Pellet, Chairman; J. Banbury, J. F. Black, F. J. Woodward, T. J. Swayne, and M. E C. Munday.

On Education—Messrs. W. H. Jordan, Chairman; Lucien Heath, W. G. Long, F. M. Lovell, W. B. Hunt, W B May, and F. J. Moffitt.

On Engrossment—Messrs. P. Deveny, Chairman, A. M. Clark, J. W. Cook, Jos. Franklin, and M. T. Dooling.

On Enrollment—Messrs J. H. Daley, Chairman; H. A. Pellet, M. S. Torrey, D. J. Leary, and E B. Beard.

On Fish and Game—Messrs. J. V Coleman, Chairman, H. T. Hazard, C F. McGlashan, M. E. C. Munday, Whit. Henley, R. C. Carter, and D. M. Pyle.

On Federal Relations—Messrs. Jos. Russ, Chairman; H. T. Hazard, M. J Sullivan, A. Walrath, J. K. Johnson, W. T. Patterson, and C. T. Jones

On Yosemite Valley and Mariposa Grove of Big Trees and Forestry—Messrs. W. G. Long, Chairman, T. Reeves, G. G Goucher, T C. Morris, and D. G. Barnes.

On Homestead and Land Monopoly—Messrs. W B Hunt, Chairman; V. C. McMurray, G. W. C. Carter, John Lafferty, S N. Laughlin, E. DeWitt, and M. T. Dooling.

On Indian Affairs—Messrs. J. W. Cook, Chairman, C. T. Jones, Whit. Henley, F. W. Hussey, and E. F. Loud

On Internal Improvements—Messrs. W. T. Mears, Chairman; Joseph Almy, Robert Barnett, S. I. Allen, and E. B. Beard

On Irrigation—Messrs. A. Walrath, Chairman; E. E. Edwards, W. T. Patterson, E. B. Beard, Robert Barnett, T. Reeves, F. J. Woodward, R I Ashe, and F. W. Hussey.

On Labor and Capital—Messrs. S I. Allen, Chairman; W. M. Heywood, Dwight Hollister, H. C. Firebaugh, Whit. Henley, D J. Leary, M. S. Torrey, M. J. Sullivan, and Jos. Russ.

On Military Affairs—Messrs. J. Banbury, Chairman; C. D. Douglas, Lucien Heath, Geo. Wood, and J V. Coleman.

On Mines and Mining Interests—Messrs. John Yule, Chairman; M. S. Torrey, G. H. Colby, C. F. McGlashan, A. Walrath, J. K. Johnson, and U. S Gregory.

On Municipal Corporations—Messrs. E. F. Loud, Chairman; A. McLean, Jos. Franklin, T. H. McDonald, H K. McJunkin, G. G. Goucher, W. M. Heywood, J. H. G. Weaver, and T. C. Morris.

On Public Buildings and Grounds—Messrs. W. J. Davis, Chairman; C. H. Ward, G. W. Watson, E C. Kalben, W. B. May, D. J. Leary, and R. J. Van Voorhies.

On Public Expenditures and Accounts—Messrs. W. T. Patterson, Chairman, John Yule, E. H. Watson, M. S. Torrey, and C. B. Culver.

On Public Lands—Messrs. C. H. Ward, Chairman; Dwight Hollister, G. W. Watson, W. G. Long, F. M. Lovell, D. J. Leary, F. J. Moffitt, H. J. Corcoran, and Allen Henry.

On Public Morals—Messrs. R. C. Carter, Chairman: L. Heath, H. A. Pellet, J. W. Cook, and R Barnett.

On Public Printing—Messrs. D. M. Pyle, Chairman, J. H. Daley, J. H. G. Weaver, G. Wood, D. J. Leary, Arza Porter, and E. W. Britt.

On Retrenchment—Messrs. E. C. Kalben, Chairman; John Yule, T. J. Swayne, D. J. Leary, and T. H. McDonald.

On Roads and Highways—Messrs. S. N. Laughlin, Chairman; W. G. Long, Jos. Almy, Robt. Barnett, and M. E. C. Munday.

On State Hospitals—Messrs. N. T. Whitcomb, Chairman: E. DeWitt, Peter Deveny, W. B. May, H. T. Hazard, H. A. Pellet, and F. J. Woodward.

On State Library—Messrs. T. Reeves, Chairman; J. Banbury, and J. V. Coleman.

On State Prison—Jos. Almy, Chairman: Dwight Hollister, C. F. McGlashan, H. C. Firebaugh, J. H. Daley, J. F. Black, Frank French, E. H. Watson, and W. B. May.

On Swamp and Overflowed Lands—Messrs C. B. Culver, Chairman, D. Hollister, R. C. Carter, E. E. Edwards, G. W. T. Carter, D. M. Pyle, Robert Barnett, F. J. Moffitt, and H. J. Corcoran.

On Ways and Means—Messrs. W. B. May, Chairman; W. H. Jordan, J. F. Black, Jos. Russ, A. Walrath, J. K. Johnson, W. G. Long, F. W. Hussey, and W. J. Davis.

On Water Rights and Drainage—Messrs. D. G. Barnes, Chairman; E. C. Kalben, S. I. Allen, G. H. Colby, W. J. Davis, Joseph Franklin, R. I. Ashe, E B. Beard, and A. M. Clark.

On Apportionment—Messrs. F. J. Woodward, Chairman; N. T. Whitcomb, M. J. Sullivan, T. A. Roseberry, W. T. Patterson, E. F. Loud, Allen Henry, T. H. McDonald, and J. F. Black.

The Speaker then announced that he would appoint Messrs. Heath, Henry, and May the committee to ascertain mileage and per diem of officers and employés during temporary organization, as per resolution.

RESOLUTIONS.

By Mr. May:

Resolved, That the Superintendent of State Printing be instructed to print three hundred and sixty copies of the Journal of each day's proceedings for the use of members.

Referred to Committee on Printing.

By Mr. May:

Resolved, That the per diem of attachés shall in all cases be paid out of the Contingent Fund of the Assembly, unless otherwise provided by law.

So ordered.

By Mr. Walrath:

Resolved, That each member of the Assembly be entitled to receive from the Secretary of State one set of the latest pocket edition of the Codes of California, upon his receipting to the Secretary of State for the same. The sets of the Codes so received shall be returned to the Secretary of State at the close of the session, and the Controller is hereby directed not to draw his warrant for the last week's per diem of any member who has not returned his set to the Secretary of State, or the value of the same.

So ordered.

Mr. Jordan moved that a committee of three be appointed by the Speaker to ascertain what committees require clerks.

So ordered.

The Speaker then appointed Messrs. Jordan, Jones, and Dooling as such committee.

CONCURRENT RESOLUTIONS.

By Mr. Weaver:

WHEREAS, The House of Representatives of the United States Congress has pending before it what is known as the "Mexican Veterans' Pension Bill," amended and passed by the Senate of the United States Congress at its last session; therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That our Representatives in Congress be and they are hereby instructed to use every effort within their power to secure the passage of the Mexican Veterans' Pension Bill, as amended in the Senate, through the House of Representatives.

Resolved, That the Governor of the State be requested to forward to each of our Representatives in Congress a copy of these resolutions

Referred to Committee on Federal Relations.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted Mr. Torrey.
Leave of absence for three days was granted Mr. Daley.

RECESS.

At eleven o'clock A. M., on motion of Mr. Heath, the House took a recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.
Arza Porter, Assemblyman elect from San Luis Obispo County, then came forward and took the oath of office, as follows:

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

REPORTS OF COMMITTEES.

The Committee on Mileage and Pay of Officers and Attachés of Last Session and of Temporary Organization, made the following report:

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1885.

MR. SPEAKER: Your committee to whom was referred a resolution relative to the per diem and mileage of the officers of last session—have had the same under consideration, and now respectfully report on the same, and recommend the adoption of the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, on January twelfth, payable out of the Contingent Fund of the Assembly, in favor of the following named officers, for services performed by them for seven days at the rate fixed by law, and for the following amounts, the same being mileage due them for the distance traveled by said officers, to wit:

Ed. E. Leake, Chief Clerk, 120 miles	$12 00
Julius Riemer, Assistant Clerk, 168 miles	16 80
Geo. W. Herbert, Assistant Clerk, 148 miles	14 80
Geo. B. Crandall, Minute Clerk, 168 miles	16 80
G. W. Peckham, Journal Clerk, 400 miles	40 00

Adopted.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1885.

MR. SPEAKER: Your committee to whom was referred a resolution relative to the per diem and mileage of temporary officers—have had the same under consideration, and now report the same back, and recommend the adoption of the following resolution:

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

W. E. Bond, Assistant Minute Clerk, two days	$16 00
I. W. Hamilton, Assistant Sergeant-at-Arms, two days	16 00
Charles Stanton, Clerk Sergeant-at-Arms, two days	10 00
J. Devine, Gatekeeper, four days	16 00
E. Van Heusen, Gatekeeper, four days	16 00
B. F. Alexander, Gatekeeper, four days	16 00
Willie Jobson, Page, four days	12 00
J. E. Mandeville, Page, four days	12 00
David Foltz, Page, four days	12 00
F. J. Pierce, Page, four days	12 00
Sam. McClintock, Page, four days	12 00
Carey Matthews, Page, four days	12 00
S. Bones, Page, four days	12 00
M. Fannie Burnett, Postmistress, four days	12 00
A. T. Parsons, Mail Carrier, four days	12 00
W. R Hall, Porter, four days	16 00
John A. Barber, Porter, four days	16 00
Hampton Whitaker, Porter, four days	16 00
Cornelius Peck, Porter, four days	16 00
B. McFee, Porter, four days	16 00
John Williams, Night Watchman, four days	16 00
Hiram Clock, Day Watchman, four days	16 00
James M. Farrelly, Sergeant-at-Arms, four days	32 00
James M. Farrelly, Sergeant-at-Arms, mileage	16 80

Adopted.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Henley until Wednesday.
Leave of absence was granted Mr. Coleman until to-morrow.

RESOLUTIONS.

By Mr. Goucher:

Resolved, That the Committee on Irrigation be increased from nine to thirteen members.

Referred to Committee on Rules and Regulations.

CONCURRENT RESOLUTION.

By Mr. Goucher: Granting leave of absence from the State to W. H. Larew, Superintendent of Schools of Mariposa County.
Referred to Committee on Education.

RESOLUTIONS—(RESUMED).

By Mr. Pyle:

Resolved, That David M. Foltz be and he is hereby appointed Page for the Sergeant-at-Arms of the Assembly, at the usual per diem, payable out of the Contingent Fund of the Assembly.

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

Resolved, That four hundred copies of a list of the Standing Committees of this House be printed on proper cards.

Referred to Committee on Printing.

ADJOURNMENT.

At two o'clock and thirty minutes P. M., on motion of Mr. Heath, the House adjourned until eleven o'clock A. M. Tuesday, January 13, 1885.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 13, 1885.

The House met pursuant to adjournment.
Speaker Parks in the chair.
The roll was called, and the following members answered to their names:

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Davis, Deveny, DeWitt, Dooling, Douglass, Edwards, Ellison, Firebaugh, Franklin, French, Gouchei, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Leary, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Mundav, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.
Prayer by the Chaplain.

LEAVE OF ABSENCE.

Mr. Porter was granted leave of absence for one day.
Mr. Corcoran was granted leave of absence for one day.
Mr. Patterson was granted leave of absence for three days.
Journal of Monday read and approved.

APPOINTMENTS.

The Speaker announced the following appointments:

Rear Porter—A. Grubbs.
Porters of Committee Rooms—William A. Douglass, J. L. Evans, and Hiram Clock.

REPORT OF COMMITTEE.

MR SPEAKER: Your committee to whom was referred the amount due for mileage and per diem to the officers and attachés of the last session, and the per diem of the temporary officers for services rendered in the organization of the present House, beg leave to amend the report of yesterday in reference thereto, as follows:

To J. W. Hamilton, Assistant Sergeant-at-Arms, two days, at $6 ..... $12 00
Charles Stanton, Clerk to Sergeant-at-Arms, two days, at $8 ..... 16 00

The allowances above reported are the same as allowed by law.

HEATH, Chairman.

Adopted.

PRESENTATION OF PETITIONS.

By Mr. Edwards: By the citizens of Anaheim—Praying for the passage of an Act to repeal the special Act of incorporation of said town.

Referred to Committee on Municipal Corporations.

RESOLUTIONS—(OUT OF ORDER).

By Mr. McJunkin:

Resolved, That Colonel A. Andrews, the Commissioner for the State of California to the World's Industrial and Cotton Centennial Exposition at New Orleans, is hereby invited to address the members of the Assembly on Wednesday evening, in this chamber, at 8 o'clock, on the present condition of the California exhibit at the Exposition, and what is necessary to be done to insure the successful display of the great resources of this State; that the Senate and the public be invited to attend.

So ordered.

By Mr. Pyle:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to make the payroll of the officers and attachés of the House from and including the first day of the session, and the Controller is hereby directed to draw his warrants in accordance with this resolution, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Barnes: Assembly Bill No. 29—An Act to amend section eight hundred and nineteen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to service of warrants by peace officers in other counties than those in which they are issued.

Referred to Committee on Judiciary.

By Mr. French: Assembly Bill No. 30—An Act to provide for the inspection of steam boilers, licensing steam engineers, and for the better protection and security of life and property in the State of California.

Referred to Committee on Labor and Capital.

By Mr. Douglas: Assembly Bill No. 31—An Act to amend an Act entitled "An Act declaring Islais Creek, in the City and County of San Francisco, a navigable stream," approved March 26, 1868, and to amend an Act entitled an Act approved March 28, 1868, to amend an Act entitled "An Act granting to certain persons therein named the right to lay a railroad track along certain streets in the City and County of San Francisco," approved April 2, 1866, and to require the State Harbor Commissioners to remove certain obstructions from Islais Creek in the City and County of San Francisco, and to build a drawbridge thereon, and to authorize its payment.

Referred to Committee on Commerce and Navigation.

By Mr. Deveny: Assembly Bill No. 32—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known as section nine hundred and eighty-seven, relating to the lien created upon real estate by the filing of a notice of the pendency of an action against the owner thereof upon an official bond.

Referred to Committee on Judiciary.

By Mr. Hazard: Assembly Bill No. 33—An Act to add one section to an Act entitled "An Act to establish a uniform system of county

and township governments," to be known as section one hundred and eighty-five.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 34—An Act to establish a State Reform School, and for the maintenance and support of the same.

Referred to Committee on State Hospitals.

By Mr. Jordan: Assembly Bill No. 35—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations."

Referred to Committee on Public Morals.

By Mr. Coleman: Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.

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

By Mr. May: Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Referred to Committee on Ways and Means.

By Mr. Munday: Assembly Bill No. 38—An Act to amend section four hundred and fifteen of an Act to establish a Penal Code, approved February 14, 1872.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 39—An Act to amend an Act to establish a uniform system of county and township governments, approved March 14, 1883.

Referred to Committee on County and Township Governments.

By Mr. Mears: Assembly Bill No. 40—An Act to amend an Act entitled "An Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled 'An Act to establish a Political Code,'" approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two in said Code, relating to roads and highways.

Referred to Committee on Roads and Highways.

By Mr. Colby: Assembly Bill No. 41—An Act to amend section eight hundred and forty-one of the Civil Code, relating to partition fences.

Referred to Committee on Agriculture.

By Mr. Gregory: Assembly Bill No. 42—An Act to amend section four hundred and twelve of the Penal Code, relative to prize fighting.

Referred to Committee on Public Morals.

By Mr. Morris: Assembly Bill No. 43—An Act to amend subdivision one of section three thousand seven hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue, particularly to the collection of property taxes.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 44—An Act to amend section eighty of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Referred to Committee on County and Township Governments.

Also, Assembly Bill No. 45—An Act to amend section three thousand seven hundred and fifty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue, particularly to the collection of property taxes.

Referred to Committee on Ways and Means.

By Mr. Ward of San Francisco: Assembly Bill No. 46—An Act to authorize and empower the Boards of Supervisors of the various counties, cities and counties, and cities of the State, to regulate Supervisor electoral districts.

Referred to Committee on County and Township Governments.

By Mr. Firebaugh: Assembly Bill No. 47—An Act to amend section one thousand one hundred and seventy-three of the Code of Civil Procedure, relating to amendment of pleading and to procedure in forcible entry and forcible and unlawful detainer actions.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 48—An Act to amend section one thousand one hundred and seventy-seven of the Code of Civil Procedure, relating to practice and procedure in forcible entry and forcible and unlawful detainer actions.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 49—An Act to amend section one thousand one hundred and sixty-four of the Code of Civil Procedure, relating to parties defendant and procedure in summary proceedings for obtaining possession of real property in certain cases.

Referred to Committee on Judiciary.

By Mr. Wood: Assembly Bill No. 50—An Act to amend section six hundred and twenty-six of the Penal Code, and to add a new section thereto, to be known as section six hundred and twenty-seven, relating to the preservation of game and fish.

Referred to Committee on Fish and Game.

By Mr. Barnett: Assembly Bill No. 51—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure, relating to when and how trials by jury may be waived.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 52—An Act entitled "An Act to provide and regulate the construction of all characters of wire fences along and contiguous to public and private highways in the State of California."

Referred to Committee on Agriculture.

By Mr. Ward of San Francisco: Assembly Bill No. 53—An Act to propose an amendment to article twenty of the Constitution of the State of California, in relation to miscellaneous subjects, by adding thereto a new section (twenty-one) in relation to the equalization of election districts.

Referred to Committee on Elections.

By Mr. Britt: Assembly Bill No. 54—An Act in relation to estray animals, for the taking up and disposition of the same.

Referred to Committee on Agriculture.

RESOLUTIONS.

By Mr. Weaver:

Resolved, That the sum of five hundred dollars be and is hereby appropriated in favor of Hon. T. L. Thompson, Secretary of State, for the purchase of postage stamps for the use of members of the Assembly, said sum to be paid out of the appropriation for contingent expenses of the Assembly, the Secretary of State to keep an accurate account of the amount of stamps furnished each member, and charge the amount so furnished each member as a part of the amount allowed by law to each member for contingent expenses.

Lost.

By Mr. Munday:

Resolved, That the Committee on Elections is hereby instructed each day to have printed two hundred copies of all papers and evidence that may be submitted to them, or brought before them, in the contested cases of Buhlert and Leary, and Tyler and Morris, to them referred, and the Sergeant-at-Arms is hereby instructed to place upon the desk of each member of this House one copy of the same.

So ordered.

By Mr. Weaver:

Resolved, That each member be allowed twenty-five dollars for contingent expenses, payable out of the Contingent Fund of the Assembly, and that the aggregate amount of the value of stamps and stationery which any member shall draw on requisition from the Secretary of State shall be charged to his account as a part of his allowance.

So ordered.

By Mr. May:

Resolved, That the Sergeant-at-Arms be paid the sum of one hundred dollars, out of the Contingent Fund of the Assembly, for current expenses

Lost.

RECESS.

At twelve o'clock M., the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

Upon request, Mr. Jordan, Chairman of the special committee appointed by the Speaker on Monday to inquire into what committees should require clerks, was discharged, it being the opinion that this was a part of the duties of the Committee on Attachés and Employés.

REPORTS OF COMMITTEES.

Mr. Weaver, Chairman of the Committee on Rules and Regulations, presented the report of the committee, which was read, amended, and adopted, as follows:

MR. SPEAKER: Your Committee on Rules and Regulations beg leave to report the following rules, and recommend that they be adopted as the Standing Rules of the Assembly of the State of California for the twenty-sixth session of the Legislature

STANDING RULES OF THE ASSEMBLY.

I.—HOURS OF MEETING.

The sessions of this House shall be daily (Sundays excepted), beginning at eleven o'clock A. M., until February 1, 1885, and thereafter at ten o'clock A. M. A recess shall be taken from twelve o'clock and thirty minutes P. M. to two o'clock P. M., unless otherwise ordered by vote of the House.

II.—ORDER OF BUSINESS.

1. Roll call.
2. Prayer by the Chaplain.
3. Reading and approval of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports of Select Committees.

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

III.—REPORTS OF COMMITTEES ON ENGROSSED AND ENROLLED BILLS.

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

IV.—MESSAGES FROM THE GOVERNOR AND SENATE.

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

V.—PETITIONS TO BE PRESENTED, WITH A BRIEF STATEMENT OF CONTENTS.

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

VI.—INTRODUCTION AND READING OF BILLS.

Any member desiring to introduce a bill shall rise in his place and address the Speaker, and upon being recognized, shall present the same, and the title shall be announced from the Clerk's desk, when it shall be referred to a standing committee, and be printed, and a copy be placed on each member's desk. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two thirds of the House shall, by a vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading, whether it be the first, second, or third, and no bill shall be read at either reading until the House has so determined by a vote.

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

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

VIII.—REFERENCE OF BILLS.

No debate shall be allowed on any motion to refer a bill to a committee. The Speaker shall first indicate to what committee a bill ought to be referred, and it shall be so referred, unless upon a motion, without debate, the House by a majority vote refer it to some other committee.

IX.—REFERRING WITH SPECIAL INSTRUCTIONS.

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

DUTIES OF SPEAKER.

X.—TO CALL HOUSE TO ORDER.

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

XI.—TO PRESERVE ORDER: TO DECIDE POINTS OF ORDER; AND MAY SPEAK TO SAME.

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

XII.—TO HAVE DIRECTION OF THE HALL; MAY CALL ANY MEMBER TO THE CHAIR.

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

XIII.—TO SIGN RESOLUTIONS, ETC., ATTESTED BY THE CLERK.

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

XIV.—MAY ORDER THE GALLERIES AND LOBBY CLEARED.

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

DUTIES OF THE SERGEANT-AT-ARMS.

XV.—TO ATTEND SITTINGS OF HOUSE. SERVE PROCESSES.

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

XVI.—FEES OF SERGEANT-AT-ARMS.

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

XVII.—ASSISTANT SERGEANT-AT-ARMS TO BE DOORKEEPER.

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

XVIII.—STANDING COMMITTEES.

The Standing Committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of seven members.
2. A Committee on Agriculture, Mining and Mechanic Arts College, to consist of seven members
3. A Committee on Attachés and Employés, to consist of five members.
4. A Committee on Chinese Immigration and Emigration, to consist of nine members.
5. A Committee on Claims, to consist of seven members.
6. A Committee on Constitutional Amendments, to consist of seven members.
7. A Committee on Commerce and Navigation, to consist of five members.
8. A Committee on Corporations, to consist of nine members.
9. A Committee on Counties and County Boundaries, to consist of nine members
10. A Committee on County and Township Governments, to consist of nine members.
11. A Committee on Crimes and Penalties, to consist of five members.
12. A Committee on Viniculture and Viticulture, to consist of seven members.
13. A Committee on Education, to consist of seven members.
14. A Committee on Elections, to consist of seven members.
15. A Committee on Engrossment, to consist of five members.
16. A Committee on Enrollment, to consist of five members
17. A Committee on Fish and Game, to consist of seven members
18. A Committee on Federal Relations, to consist of seven members.
19. A Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry, to consist of five members.
20. A Committee on Homestead and Land Monopoly, to consist of seven members.
21. A Committee on Indian Affairs, to consist of five members
22. A Committee on Internal Improvements, to consist of five members.
23. A Committee on Irrigation, to consist of thirteen members.
24. A Committee on Judiciary, to consist of fifteen members.
25. A Committee on Labor and Capital, to consist of nine members.
26. A Committee on Mileage, to consist of three members.
27. A Committee on Military Affairs, to consist of five members.
28. A Committee on Mines and Mining Interests, to consist of seven members.
29. A Committee on Municipal Corporations, to consist of eleven members.
30. A Committee on Public Buildings and Grounds, to consist of nine members.
31. A Committee on Public Expenditures and Accounts, to consist of five members.
32. A Committee on Public Lands, to consist of nine members.
33. A Committee on Public Morals, to consist of five members.

34. A Committee on Public Printing, to consist of seven members.
35. A Committee on Retrenchment, to consist of five members
36. A Committee on Roads and Highways, to consist of seven members.
37. A Committee on Rules and Regulations, to consist of five members.
38. A Committee on State Hospital, to consist of seven members.
39. A Committee on State Library, to consist of five members
40. A Committee on State Prison, to consist of nine members.
41. A Committee on Swamp and Overflowed Lands, to consist of nine members.
42. A Committee on Ways and Means, to consist of nine members.
43. A Committee on Water Rights and Drainage, to consist of nine members.
44. A Committee on Apportionment, to consist of nine members.
45. A Committee on Silk Culture, to consist of five members.

XIX.—COMMITTEES TO BE APPOINTED BY SPEAKER.

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

DUTIES OF COMMITTEES.

XX.—ON ELECTIONS.

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

XXI.—ON WAYS AND MEANS.

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

XXII.—ON CLAIMS.

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

XXIII.—ON COMMERCE AND NAVIGATION.

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

XXIV.—ON PUBLIC LANDS.

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

XXV.—ON PUBLIC EXPENDITURES AND ACCOUNTS.

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

XXVI.—ON MILITARY AFFAIRS.

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

XXVII.—ON INTERNAL IMPROVEMENTS.

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

XXVIII.—ON PUBLIC BUILDINGS.

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

XXIX.—ON MILEAGE.

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

XXX.—ON VINICULTURE AND VITICULTURE.

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

XXXI.—ON ENGROSSMENT.

It shall be the duty of the Engrossing Committee to compare all bills ordered or considered engrossed by this House with the engrossed copies thereof; and before they pass out of the possession of the House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto.

XXXII.—ON EDUCATION.

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

XXXIII.—ON CHINESE IMMIGRATION AND EMIGRATION.

It shall be the duty of the Committee on Chinese Immigration and Emigration to take into consideration all propositions relative to the tendencies of Chinese labor upon the political, social, physical, and moral condition and affairs of the State, that may be referred to them by the House.

XXXIV.—ON APPORTIONMENT.

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

XXXV.—EMPLOYMENT OF COMMITTEE CLERKS.

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

XXXVI.—REFERENCE OF BILLS.

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

The Committee of the Whole House.

A Standing Committee.

A Select Committee.

XXXVII.—COMMITTEE OF THE WHOLE HOUSE.

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

XXXVIII.—RULES IN COMMITTEE OF THE WHOLE.

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

XXXIX.—MOTION TO RISE DECIDED WITHOUT DEBATE.

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

XL.—CALLING MEMBERS TO ORDER WHEN TRANSGRESSING RULES.

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

XLI.—SPEAKER TO DECIDE WHO IS ENTITLED TO THE FLOOR.

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

XLII.—ORDER IN SPEAKING TO QUESTIONS.

Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question 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.

XLIII.—CALLED TO ORDER FOR OFFENSIVE WORDS IN DEBATE.

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

XLIV.—PERSONAL EXPLANATION.

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

XLV.—MOTIONS TO BE STATED BY SPEAKER SHALL BE REDUCED TO WRITING, OR MAY BE WITHDRAWN.

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

XLVI.—MOTIONS TO ADJOURN.

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

XLVII.—PRECEDENCE OF MOTIONS DURING DEBATE.

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

XLVIII.—PREVIOUS QUESTION.

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

XLIX.—QUESTIONS OF ORDER AFTER PREVIOUS QUESTION IS ORDERED.

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

L.—PREVIOUS QUESTION DEMANDED.

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

LI.—QUESTION INDEFINITELY POSTPONED.

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

LII.—DIVISION OF QUESTIONS.

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

LIII.

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

LIV.—SUBJECTS DIFFERENT FROM THE ONE UNDER CONSIDERATION.

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

LV.- PRINTING EXTRA NUMBER OF BILLS, ETC.

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

LVI.—PRINTING OF BILLS.

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

LVII.—PRINTING OF MAPS.

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

LVIII.—FILLING BLANKS.

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

LIX.—PRIORITY OF BUSINESS.

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

LX.—READING OF PAPERS.

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

LXI.—NOTICE OF RECONSIDERATION.

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

LXII.—ELECTIONS BY HOUSE

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

LXIII.—CALLING AYES AND NOES.

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

LXIV.—MEMBERS AT CLERK'S DESK.

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

LXV.—VOTING ON QUESTION WHEN INTERESTED.

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

LXVI.—DIVISION AND COUNT OF HOUSE.

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

LXVII.—EXPLAINING OR CHANGING VOTE.

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

LXVIII.—CALL OF THE HOUSE.

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

MISCELLANEOUS.

LXIX.—SUSPENDING AND CHANGING RULES.

No standing rule or order of the House shall be rescinded or changed without a vote of two thirds, and one day's notice being given of the motion therefor; but a rule of order may be suspended temporarily by a vote of two thirds of the members present, except that portion of Rule 6 relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules and Regulations.

LXX.—MEMBERS ABSENTING THEMSELVES.

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

LXXI.—PERSONS ADMITTED TO FLOOR.

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

LXXII.—SMOKING IN HALL.

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

LXXIII.—PARLIAMENTARY RULES.

The rules of parliamentary practice contained in Cushing's Law and Practice of Legislative Assemblies shall govern the House in all cases to which they are applicable, and in which they

are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and House of Assembly.

LXXIV.—USE OF HALL.

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

LXXV.—FEES FOR WITNESSES.

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

LXXVI.—PROTEST OF MEMBERS.

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

LXXVII.—ORDER OF MAKING FILE.

Upon the introduction of bills, they shall be referred to a standing committee of the House, unless otherwise ordered by the House. When reported back, they shall be placed upon a General File, to be kept by the Clerk, as follows All bills, when reported to the House by such committee, shall be placed at the foot of the file in the order in which the reports are made. After the first reading, they shall be returned to the foot of the file in the order in which they are read; and after the second reading, they shall be placed at the head of the file in the order of reading, unless otherwise ordered by a two-thirds vote of the House. The Clerk shall post, in a conspicuous place in the chamber, a daily statement of the bills on the General File, setting forth the order in which they are filed, and specifying the alterations arising from the disposal of business each day.

LXXVIII.—ORDER MAKING SPECIAL FILE.

The Clerk shall, from time to time, make up a file to be known as the Special File, on which he shall place the General Appropriation Bill, the General County and Township Government Bills, the General Municipal Corporation Bills, the General Road and Highway Bills, the Apportionment Bills, Deficiency Bills, and bills relating to Constitutional Amendment No. 2, recently adopted, in the order in which the same may be reported to the House, and he shall place no other bills thereon. Said Special File shall be considered in the order of business as prescribed in Rule Two under the head of Special Orders of the Day, until the business on said file shall be finally disposed of.

LXXIX.—TAKING UP BILLS OUT OF ORDER.

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

LXXX.—EXTRA PAY.

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

LXXXI.—ENGROSSING AND ENROLLING BILLS.

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

LXXXII.—DUTY OF COMMITTEE ON ATTACHES AND EMPLOYES.

It shall be the duty of the Committee on Attachés and Employés, whenever there is a resolution offered for additional help in any of the various departments of clerical or other assistants in this Assembly, to inquire into the necessity for such proposed help, and report to the House, when the Assembly shall proceed to vote upon the passage of the resolution which has been referred and reported.

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

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

LXXXIV.—AUTHOR TO SPEAK LAST.

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

WEAVER, Chairman.

Assembly Bill No. 46, previously introduced by Mr. Ward of San Francisco, was ordered from the Committee on County and Township Governments to the Committee on Municipal Corporations.

RESOLUTIONS.

By Mr. May:

Resolved, That the sum of one hundred dollars be appropriated out of the Contingent Fund, to be drawn by the Sergeant-at-Arms, and so much of the same as may be necessary used for payment of the current expenses of the Assembly. The Sergeant-at-Arms shall make an exact accounting of his disbursements under this resolution.

So ordered.

By Mr. Heath:

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

So ordered.

By Mr. Mears:

Resolved, That four hundred copies of the Standing Rules of the Assembly be ordered printed.

So ordered.

ADJOURNMENT.

At three o'clock and thirty-five minutes P. M., on motion of Mr. McJunkin, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 14, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Kalben, Lafferty, Laughlin, Leary, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan,

Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.
Prayer by the Chaplain.

LEAVE OF ABSENCE.

Mr. Jordan was granted leave of absence for one day.
Pending the reading of the Journal, Mr. Carter of Contra Costa moved that the further reading be dispensed with.
So ordered.
Journal approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Barnes:

Resolved, That J. H. Williams be and is hereby appointed one of the Committee Room Porters at the same salary as the other Porters.

Referred to Committee on Attachés and Employés.

REPORTS OF STANDING COMMITTEES.

ON ATTACHES AND EMPLOYES.

MR. SPEAKER: Your Committee on Attachés and Employés has carefully considered the order of the House in regard to the appointment of committee clerks, and recommend as follows: That the following committees be allowed a clerk, each at five dollars per day:

Committee on Viticulture and Viniculture.
Committee on Education.
Committee on Enrollment.
Committee on Fish and Game.
Committee on Federal Relations.
Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry.
Committee on Homestead and Land Monopoly.
Committee on Mileage.
Committee on Military Affairs.
Committee on Mines and Mining Interests.
Committee on Municipal Corporations.
Committee on Public Buildings and Grounds.
Committee on Public Printing.
Committee on Retrenchment.
Committee on Roads and Highways.
Committee on Rules and Regulations.
Committee on State Hospitals.
Committee on Swamp and Overflowed Lands.
Committee on Chinese Immigration and Emigration.
Committee on Agriculture.
Committee on Agriculture, Mining, and Mechanic Arts College.
Committee on Attachés and Employés.
Committee on Claims.
Committee on Constitutional Amendments.
Committee on Commerce and Navigation.
Committee on Corporations.
Committee on Counties and County Boundaries.
Committee on County and Township Governments.
Committee on Crimes and Penalties.
Committee on Water Rights and Drainage.
Committee on Labor and Capital.
Committee on Public Expenditures and Accounts.
Committee on Public Lands.

We also recommend that the Committee on Internal Improvements be allowed a clerk, at five dollars per day, and that he also act as clerk for the Committees on Indian Affairs and State Library; and that the Apportionment Committee be allowed a clerk, at five dollars per day, to

act also for the Committees on Public Morals and Silk Culture. And we also recommend that the following committees be allowed clerks, at eight dollars per day:

Committee on Ways and Means, one clerk, at eight dollars per day.
Committee on Judiciary, two clerks, at eight dollars per day.
The San Francisco delegation, one clerk, at eight dollars per day.
Committee on Irrigation, one clerk, at eight dollars per day.
Committee on State Prisons, one clerk, at eight dollars per day.

HUSSEY, Chairman.

Mr. McJunkin moved that the clause allowing the San Francisco delegation a clerk, at eight dollars per day, be stricken out.

The roll call was demanded by Messrs. Beard, McGlashan, and McJunkin, and the motion was lost by the following vote:

AYES—Messrs. Banbury, Barnett, Beard, Black, Britt, Carter of Solano, Clark, Coleman, Corcoran, DeWitt, Edwards, Ellison, Goucher, Gregory, Hazard, Henley, Henry, Johnson, Leary, McGlashan, McJunkin, McLean, Moffitt, Morris, Munday, Pellet, Porter, Reeves, Roseberry, Watson of El Dorado, Wood, and Yule—32.

NOES—Messrs. Allen, Almy, Ashe, Barnes, Carter of Contra Costa, Colby, Cook, Culver, Davis, Deveny, Dooling, Douglas, Finebaugh, Franklin, French, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McMurray, Mears, Pyle, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—45.

Mr. Gregory moved to amend the report, by making the per diem of the clerks of committees at the uniform rate of five dollars, with the exception of the clerks of the Judiciary Committee.

So ordered.

Mr. Colby moved to amend the report, to allow the Committee on Irrigation two clerks instead of one.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

MR. SPEAKER: Your Committee on Attachés and Employés has considered the resolution appointing David M. Foltz as Page to Sergeant-at-Arms, and report the same back, without recommendation.

HUSSEY, Chairman.

The motion being upon the adoption of the resolution, it was lost.

MR. SPEAKER: Your Committee on Attachés and Employés has considered the resolution appointing J. Carroll as Page for the clerks at the desk, and beg leave to report the same to the House, without recommendation.

HUSSEY, Chairman.

The motion being upon the adoption of the resolution, it was lost.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred a resolution referring to the payroll of officers and attachés, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HUSSEY, Chairman.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Goucher: Assembly Bill No. 55—An Act to prevent the emptying of sawdust into lakes, rivers, and other streams, and for the protection of fish.

Referred to Committee on Fish and Game.

By Mr. Munday: Assembly Bill No. 56—An Act to amend section

sixty-eight, and repeal sections seventy-five and seventy-six of an Act to establish a Civil Code, approved March 21, 1872.

Referred to Committee on Judiciary.

By Mr. Davis: Assembly Bill No. 57—An Act to amend section one thousand three hundred and twenty-two of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the competency of a wife or husband to be a witness in certain cases.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 58—An Act to amend section one thousand eight hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to relations which disqualify persons from being witnesses in certain cases.

Referred to Committee on Judiciary.

By Mr. Corcoran: Assembly Bill No. 59—An Act to prevent bribery at elections.

Referred to Committee on Elections.

Also, Assembly Bill No. 60—An Act to amend sections three thousand seven hundred and seventy-one, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the method of collection thereof.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

Also, Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Referred to Committee on County and Township Governments.

Also, Assembly Bill No. 63—An Act to provide for the transfer of certain lands from the State to municipal corporations.

Referred to Committee on Swamp and Overflowed Lands.

Also, Assembly Bill No. 64—An Act to allow municipal corporations to establish a system of sewerage.

Referred to Committee on Municipal Corporations.

By Mr. Colby: Assembly Bill No. 65—An Act to amend section four hundred and eighty-five of the Civil Code, relating to the fencing of railroads.

Referred to Committee on Corporations.

By Mr. Reeves: Assembly Bill No. 66—An Act concerning salaries and fees of office of certain county and township officers of the County of San Bernardino, approved February 14, 1878.

Referred to Committee on County and Township Governments.

By Mr. Whitcomb: Assembly Bill No. 67—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Referred to Committee on State Hospitals.

By Mr. Moffitt: Assembly Bill No. 68—An Act repealing a section of the Political Code, and establishing a new section to be known as section one thousand one hundred and thirteen, in relation to the registration of electors.

Referred to Committee on Elections.

By Mr. Jones: Assembly Bill No. 69—An Act to provide for a Poor Fund and regulate its disbursement.

Referred to Committee on County and Township Governments.

By Mr. Pyle: Assembly Bill No. 70—An Act to repeal section sixty of an Act entitled "An Act to establish a Penal Code," approved March 23, 1874, relating to betting on elections.

Referred to Committee on Public Morals.

By Mr. Woodward: Assembly Bill No. 71—An Act to prevent the careless use of firearms.

Referred to Committee on Judiciary.

By Mr. Weaver: Assembly Bill No. 72—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to salaries of county officers.

Referred to Committee on County and Township Governments.

By Mr. Coleman: Assembly Bill No. 73—An Act to amend section three hundred and four of the Civil Code of the State of California, relating to corporations.

Referred to Committee on Corporations.

Also, Assembly Bill No. 74—An Act to amend section five hundred and ninety-nine of the Civil Code of the State of California, relating to corporations.

Referred to Committee on Corporations.

By Mr. Firebaugh: Assembly Bill No. 75—An Act to amend section one thousand one hundred and forty-two of the Political Code, relating to Boards of Election.

Referred to Committee on Elections.

RESOLUTIONS.

By Mr. Heath:

Resolved, That the Controller is hereby authorized to draw his warrants in favor of Cornelius Peck, Hampton Whitaker, and E. W. Hall, in the sum of eight dollars each, for services as Porters, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. McMurray:

Resolved, That the Committee on Elections be allowed a shorthand reporter, at a per diem of ten dollars for each day that said committee require the services of the same.

So ordered.

By Mr. Munday:

Resolved, That the Committee on Elections be and it is hereby authorized to send for all persons and papers it may deem necessary to the hearing of the contested election cases of Leary and Buhlert and Morris and Tyler.

So ordered.

By Mr. Culver:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby directed to have a telephone placed in his office, the expense of placing and maintaining the same during the session to be paid out of the Contingent Fund of the Assembly.

Lost.

By Mr. Corcoran:

Resolved, That public announcement shall be made each day from the Clerk's desk of the time and place when and where each committee of this House will meet. And it is hereby made the duty of the Chairman of each committee to give such information to the Clerk.

Lost.

CONCURRENT RESOLUTION.

By Mr. Woodward: Referring to the ratification of the reciprocity treaty between the United States and Mexico.

Referred to the Committee on Federal Relations.

RESOLUTIONS—(RESUMED).

By Mr. Pellet:

Resolved, That the Committee on Viniculture and Viticulture is hereby instructed to call a meeting at the earliest opportunity, to be held in the Assembly Chamber when the same is not occupied by this body, or in some other suitably convenient apartment of the Capitol, for the purpose of investigating the industrial questions that may arise in the immediate future, growing out of the recent rapid progress of viticulture in California, and of ascertaining by what measures the State may aid vine growers in securing profitable results from the largely increased products which are anticipated; and to this end the committee shall invite the officers of the State Viticultural Commission to attend such meeting and give such information as they may be able to offer in this connection; and the said committee shall also invite the Committee on Agriculture of the Senate to unite with them in this investigation.

So ordered.

RECESS.

At twelve o'clock and fifteen minutes, there being no further business, the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

ADDITIONAL MEMBERS OF COMMITTEES.

The Speaker announced the following additions to committees, to wit:

Committee on Irrigation—Messrs. E. L. DeWitt, A. M. Clark, G. G. Goucher, and C. B. Culver.
Committee on Public Buildings and Grounds—Messrs. W. M. Heywood and M. J. Sullivan.
Committee on Judiciary—Messrs. W. H. Jordan and H. J. Corcoran.

REFERENCE OF BILL.

By request of Mr. Whitcomb, Assembly Bill No. 67 was taken from the Committee on Education and referred to the Committee on State Hospitals.

CHANGES OF COMMITTEE MEMBERS.

By request of Mr. Britt, he was appointed a member of the Committee on County and County Boundaries, and stricken from the Committee on Public Printing.

By request of Mr. Van Voorhies, he was appointed a member of the Committee on Public Printing, and stricken from the Committee on County and County Boundaries.

LEAVE OF ABSENCE.

Mr. Goucher was granted leave of absence for Thursday, January 15, 1885.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Long:

Resolved, That S. Bones be and he is hereby appointed a Page to the Speaker and the clerks at the desk, at a per diem of three dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. DeWitt:

Resolved, That the San Joaquin Valley delegation be allowed a clerk, at the per diem of five dollars, payable out of the appropriation for the contingent expenses of the Assembly. Also, a Porter at a per diem of three dollars.

Referred to Committee on Attachés and Employés.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Reeves: Referring to the fluctuations in the price of raisins, and the protection of the raisin industry.

Referred to Committee on Federal Relations.

RESOLUTIONS—(OUT OF ORDER) RESUMED.

By Mr. Heywood:

Resolved, That the Alameda delegation, consisting of more members than any other delegation in the Assembly, excepting the San Francisco delegation, be and is hereby allowed a clerk at the usual salary paid committee clerks.

Referred to Committee on Attachés and Employés.

By Mr. May:

Resolved, That the Committee on Ways and Means be allowed two clerks at five dollars per day.

Referred to Committee on Attachés and Employés.

By Mr. Heath:

Resolved, That the Committee on Indian Affairs be allowed a clerk at five dollars per diem, who shall also act as clerk of Committee on Silk Culture.

Referred to Committee on Attachés and Employés.

By Mr. Morris:

Resolved, That the State Printer be and he is hereby directed to print one hundred and sixty additional copies of the daily Assembly Journal hereafter.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced and referred as follows:

By Mr. May: Assembly Bill No. 76—An Act making appropriation for a deficiency in the appropriation for the salary of the Clerk of

the State Board of Equalization for the thirty-fifth and thirty-sixth fiscal years.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 77—An Act making appropriation for a deficiency in the appropriation for traveling expenses of the State Board of Equalization for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

By Mr. Yule: Assembly Bill No. 78—An Act supplementary to an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880.

Referred to Committee on Mines and Mining Interests.

By Mr. Clark: Assembly Bill No. 79—An Act to amend section one thousand two hundred and forty-six of the Penal Code, relating to appeals to the Supreme Court.

Referred to Committee on Judiciary.

By Mr. Edwards: Assembly Bill No. 80—An Act to provide for the disincorporation of cities and towns incorporated by special Act of the Legislature of this State, and for the settlement and adjustment of the affairs thereof.

Referred to Committee on Municipal Corporations.

By Mr. McJunkin: Assembly Bill No. 81—An Act to add a new section to the Political Code, concerning the National Guard.

Referred to Committee on Military Affairs.

By Mr. Coleman: Assembly Bill No. 82—An Act to amend section six hundred and thirteen of the Civil Code of the State of California, relating to cemetery corporations.

Referred to Committee on Corporations.

Also, Assembly Bill No. 83—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to revenue.

Referred to Committee on Corporations.

Also, Assembly Bill No. 84—An Act to amend sections one thousand four hundred and sixty-four, one thousand four hundred and sixty-five, and one thousand four hundred and sixty-eight of the Code of Civil Procedure, relating to provision for the support of the family and of the homestead.

Referred to Committee on Homestead and Land Monopoly.

By Mr. Jordan: Assembly Bill No. 85—An Act to facilitate the giving of bonds required by law.

Referred to Committee on Judiciary.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 15, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Leary, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

APPOINTMENT OF COMMITTEES.

The Speaker announced the following appointments on committees:

On Silk Culture—Messrs. G. N. Watson, J. W. Cook, J. M. Ward, and E. F. Loud.

ADDITIONS TO COMMITTEES.

On Roads and Highways—Messrs. John M. Ward and Arza Porter.
On State Library—Messrs. C. H. Ward and T. Roseberry.
On Constitutional Amendments—Messrs. H. T. Hazard and W. H. Jordan.

Richard Charles was appointed a Porter by the Speaker, and was assigned to the floor of the Assembly Chamber.

INTRODUCTION OF BILLS.

The following bills were introduced and referrred as follows:

By Mr. Gregory: Assembly Bill No. 86—An Act to encourage apprentices.

Referred to Committee on Education.

By Mr. Corcoran: Assembly Bill No. 87—An Act to amend section two thousand six hundred and forty-three of the Political Code, relating to roads and highways.

Referred to Committee on Roads and Highways.

By Mr. Britt: Assembly Bill No. 88—An Act to diminish the cost of judicial proceedings, and to regulate the fees of Sheriffs and certain other officers.

Referred to Committee on Judiciary.

By Mr. May: Assembly Bill No. 89—An Act to establish the California Home for the Care and Training of Feeble-minded Children.

Referred to Committee on Education.

Also, Assembly Bill No. 90—An Act making an appropriation for the deficiency in the appropriation for arrest of criminals inside the limits of the State for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 91—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 92—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 93—An Act making an appropriation for the deficiency in the appropriation for purchase of Supreme Court Reports for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 94—An Act making an appropriation for the deficiency in the appropriation for material and labor furnished State Normal School at San José for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 95—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Stockton for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 96—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Napa for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 97—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at San Quentin for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 98—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Surveyor-General for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 99—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Attorney-General for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 100—An Act making an appropriation for the deficiency in the appropriation for copying maps in the office of the Surveyor-General for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 101—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in the office of the Superintendent of Public Instruction for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 102—An Act making an appropriation for the deficiency in the appropriation for contingent expenses of the State Board of Equalization for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 103—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Clerk of Supreme Court for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

By Mr. Henley: Assembly Bill No. 104—An Act to amend section

two thousand six hundred and fifty-two, Political Code, in relation to disposition of road poll taxes by the Boards of Supervisors.

Referred to Committee on County and Township Governments.

By Mr. Firebaugh: Assembly Bill No. 105—An Act to amend sections twelve hundred and three and twelve hundred and four of the Political Code, relating to election tickets and ballots.

Referred to Committee on Elections.

By Mr. Davis: Assembly Bill No. 106—An Act to establish a State detective force for the better enforcement of the laws.

Referred to Committee on Crimes and Penalties.

Also, Assembly Bill No. 107—An Act to prevent the sale of opium or the preparation thereof except for medical purposes.

Referred to Committee on Public Morals.

By Mr. McJunkin: Assembly Bill No. 108—An Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans.

Referred to Committee on Agriculture, Mining, and Mechanic Arts College.

By Mr. Porter: Assembly Bill No. 109—An Act to regulate the fees of office of County Clerks.

Referred to Committee on County and Township Governments.

By Mr. Watson of Alameda: Assembly Bill No. 110—An Act to amend section eight hundred and forty-six of the Code of Civil Procedure, relating to the issuance of alias summons in Justices' Courts.

Referred to Committee on Judiciary.

CONSTITUTIONAL AMENDMENTS.

By Mr. McJunkin: Assembly Constitutional Amendment No. 1—Proposed amendment to article six of the Constitution, relative to a Judicial Commission.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS.

By Mr. Heath:

Resolved, That the Sergeant-at-Arms be instructed to receive and receipt to the Controller of State for all warrants of the attachés and employés of the Assembly.

So ordered.

By Mr. Deveny:

Resolved, That J Carroll be and he is hereby appointed Page, to attend the Speaker and clerks at the desk, at a per diem of three dollars, payable out of the Contingent Fund of the Assembly; and the Controller is authorized to draw his warrant for the same, payable out of said fund.

Referred to Committee on Attachés and Employés.

By Mr. French:

Resolved, That Thomas Moran be and he is hereby appointed one of the Committee Room Janitors, at the same salary as other Porters.

Referred to Committee on Attachés and Employés.

By Mr. Firebaugh:

Resolved, That the Controller of State is hereby authorized to draw his warrants in favor of B. McFee and J. Williams, in the sum of eight dollars each, for services as Porters; also, in

favor of S. Bones, David Foltz, F. J. Pierce, Willie Jobson, and S. McClintic, in the sum of six dollars each, as Pages, payable out of the Contingent Fund of the Assembly.

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

Resolved, That Louis Blankman be and hereby is appointed as Porter for the Committees on Commerce and Navigation, and Education, at the same per diem as the Porters of other committees.

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

Resolved, That the Controller be and he is hereby directed to draw the warrants of the officers and attachés of the House from the proper funds, as provided by law.

So ordered.

CONCURRENT RESOLUTIONS.

By Mr. Culver: Referring to the reduction of the tax on grape brandy, and to the extension of the time for the payment of the tax.
Referred to Committee on Federal Relations.
By Mr. Jordan: Referring to the fostering of viticulture in the State.
Referred to Committee on Viticulture and Viniculture.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Jones: Assembly Bill No. 111—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.
Referred to Committee on Judiciary.
Also, Assembly Bill No. 112—An Act for the relief of John Hoagland and others.
Referred to Committee on Claims.

ADJOURNMENT.

At eleven o'clock and thirty-five minutes, on motion of Mr. Gregory, the House adjourned until eleven o'clock Friday, January 16, 1885.

IN ASSEMBAY.

ASSEMBLY CHAMBER,
Friday, January 16, 1885.

The House met pursuant to adjournment.
Speaker Parks in the chair.
The roll was called, and the following members answered to their names:

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heath,

Henley, Henry, Heywood, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Leary, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Messrs. Hollister, Coleman, and Goucher were granted leave of absence for one day.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Jordan:

WHEREAS, A resolution was introduced in this Assembly January fourteenth, asking for a clerk for the Alameda delegation; and whereas, said resolution was never intended as a serious matter and worthy of consideration; and whereas, the Alameda delegation has no need of the services of a clerk, and does not desire to be a party to any needless or wasteful expenditure of public money; therefore, be it

Resolved, That the Committee on Employés and Attachés, to which said resolution was referred, be and the same is hereby instructed to report adversely thereon.

So ordered.

By Mr. Pellet:

Resolved, That the use of this chamber be granted to the Committee on Viticulture and Viniculture on next Thursday evening, January twenty-second, for the purpose of holding a public meeting to consider matters of importance to the grape growers and wine makers of the State.

So ordered.

By Mr. Reeves:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby directed to furnish the California State Library with five copies of all bills, journals, resolutions, or other documents printed by order of this Assembly.

So ordered.

By Mr. French:

Resolved, That Chas. Stanton be and he is hereby appointed Enrolling Clerk of the Assembly, at a per diem of eight dollars, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Jordan:

Resolved, That the resolution relating to the payroll of officers and attachés, introduced by Mr. Pyle, on January 13, 1885, and favorably reported upon by the Committee on Attachés and Employés, and thereupon adopted, be and the same is hereby so construed as not to include any persons appointed on or subsequently to January 8, 1885.

Mr. Munday offered, as a substitute, the following:

Resolved, That the pay of committee clerks shall date from the date of their appointment, and not from the first day of this session.

The question being upon the adoption of the substitute, it was so ordered.

By Mr. Wood:

Resolved, That a standing committee on immigration be appointed, to consist of seven members, whose duty it shall be to consider all matters on the subject of immigration (except Chinese immigration), and to report their opinion thereon; that they be allowed a clerk at the per diem allowed by law.

Referred to Committee on Rules and Regulations.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Henley: Assembly Bill No. 113—An Act in relation to the use of poisonous or explosive substances in fishing, and the placing of deleterious matter into the waters of this State.

Referred to Committee on Ways and Means.

By Mr. Allen: Assembly Bill No. 114—An Act to repeal an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Referred to Committee on Agriculture.

By Mr. Corcoran: Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

By Mr. Watson: Assembly Bill No. 116—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of lands sold at tax sales.

Referred to Committee on Judiciary.

By Mr. Deveny: Assembly Bill No. 117—An Act to amend section three hundred and seven of the Penal Code, relating to the sale and use of opium.

Referred to Committee on Crimes and Penalties.

By Mr. Ashe: Assembly Bill No. 118—An Act to amend section one thousand and sixty-four of the Penal Code.

Referred to Committee on Judiciary.

By Mr. Morris: Assembly Bill No. 119—An Act to amend section three thousand eight hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue, particularly to omissions, errors, or defects in any original or duplicate assessment book.

Referred to Committee on Judiciary.

By Mr. Loud: Assembly Bill No. 120—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section two thousand five hundred and fifty-four, relating to the collection of wharfage on merchandise by the Board of State Harbor Commissioners.

Referred to Committee on Commerce and Navigation.

By Mr. Kalben: Assembly Bill No. 121—An Act to amend an Act entitled "An Act relative to apprentices and minors," approved April 3, 1876, amended April 9, 1880.

Referred to Committee on Judiciary.

By Mr. Almy: Assembly Bill No. 122—An Act to amend subdivision twenty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Referred to Committee on County and Township Governments.

By Mr. May: Assembly Bill No. 123—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, which may be incurred under section forty-seven of the Code of Civil Procedure, during the thirty-fifth and thirty-sixth fiscal years.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 124—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses of the Supreme Court for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 125—An Act making an appropriation for the deficiency in the appropriation for continuing special investigation in the Agricultural Department of the State University for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 126—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in office of Adjutant-General for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 127—An Act making an appropriation for the deficiency in the appropriation for salary of Clerk to the State Board of Equalization for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 128—An Act making an appropriation for the deficiency in the appropriation for traveling expenses of the Attorney-General for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 129—An Act making an appropriation for the deficiency in the appropriation for transportation of the insane for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 130—An Act making an appropriation for the deficiency in the appropriation for cleaning and transportation of arms, etc., for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 131—An Act making an appropriation for the deficiency in the appropriation for support of the State Insane Asylum at Stockton for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 132—An Act making an appropriation for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 133—An Act making an appropriation for the deficiency in the appropriation for salary of Guardian of the Yosemite Valley for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 134—An Act making an appropriation for the deficiency in the appropriation for the traveling expenses of the State Board of Equalization for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 135—An Act making an appropriation for the deficiency in the appropriation of postage and expressage in the Controller's office for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 136—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 137—An Act making an appropriation for the deficiency in the appropriation for traveling expenses of the Attorney-General and Surveyor-General for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 138—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fifth fiscal year.

Referred to the Committee on Ways and Means.

Also, Assembly Bill No. 139—An Act making an appropriation for the deficiency in the appropriation for arrest of criminals outside the limits of the State for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 140—An Act making an appropriation for postage and expressage in the Surveyor-General's office for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

By Mr. Moffitt: Assembly Bill No. 141—An Act to repeal an Act entitled "An Act to establish the Code of Civil Procedure," in relation to the abolishment of city Justices of the Peace.

Referred to Committee on Judiciary.

By Mr. Firebaugh: Assembly Bill No. 142—An Act to amend section fourteen hundred and one of the Civil Code, relating to estates by succession.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 143—An Act to annul section eleven hundred and ninety-eight of the Code of Civil Procedure, relating to practice and procedure in suits to foreclose liens of mechanics and others.

Referred to Committee on Judiciary.

By Mr. McLean: Assembly Bill No. 144—An Act to confer certain powers upon Boards of Trustees of public libraries.

Referred to Committee on Municipal Corporations.

By Mr. McJunkin: Assembly Bill No. 145—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure, in relation to the time allowed by said Code.

Referred to the Committee on Judiciary.

By Mr. Colby: Assembly Bill No. 146—An Act to amend section eleven hundred and ninety-four of the Code of Civil Procedure, relating to liens of mechanics, etc.

Referred to the Committee on Judiciary.

CONSTITUTIONAL AMENDMENTS.

By Mr. Patterson: Constitutional Amendment No. 2—Proposed amendment to section one of article thirteen of the Constitution, relative to taxation on growing crops, etc.

RE-REFERENCE OF BILL.

At the request of Mr. Jones, Assembly Bill No. 112 was taken from the Committee on Claims and referred to the Committee on Judiciary.

RESOLUTIONS.

By Mr. Jordan:

Resolved, That all matters pertaining to the Deaf, Dumb, and Blind Asylum of this State, which may come before this Assembly, be referred to the Committee on Education.

So ordered.

COMMITTEE LEAVE OF ABSENCE.

By request of Mr. Almy, Chairman of Committee on State Prisons, the committee was granted three days leave of absence to visit San Quentin.

CONCURRENT RESOLUTION.

By Mr. Britt: Referring to Post Office building in San Francisco. Referred to Committee on Federal Relations.

At eleven o'clock and forty-five minutes, Mr. Culver moved that when the House adjourns that it adjourns until one o'clock P. M., January 19, 1885.

Roll call demanded by Messrs. Munday, McJunkin, and Banbury.

Lost by the following vote:

AYES—Messrs. Almy, Barnes, Cook, Corcoran, Culver, Daley, Deveny, Firebaugh, French, Heywood, Hunt, Hussey, Kalben, Lafferty, Lovell, May, McDonald, McMurray, Sullivan, Watson of Alameda, Weaver, Whitcomb, and Mr. Speaker—23.

NOES—Messrs. Allen, Ashe, Banbury, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Davis, DeWitt, Dooling, Douglas, Edwards, Ellison, Gregory, Hazard, Heath, Henry, Johnson, Jones, Jordan, Laughlin, Leary, Long, Loud, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Yule—52.

COMMITTEE LEAVE OF ABSENCE.

At the request of Mr. Davis, Chairman of the Committee on Public Buildings and Grounds, the committee was granted leave of absence until Wednesday, January 21, 1885.

At the request of Mr. Jordan, Chairman of Committee on Education, the committee was granted leave of absence until Monday, January 19, 1885.

RESOLUTIONS—(RESUMED).

By Mr. Munday:

Resolved, That the Chairman of each committee is hereby instructed to notify the author of bills referred to his committee the time at which the said committee will consider the same.

So ordered.

At eleven o'clock and fifty-five minutes, Mr. Weaver moved that when the House adjourns that it adjourns until two o'clock P. M., Monday, January 19, 1885.

Roll call demanded by Messrs. Gregory, Wood, and Colby.

Lost by the following vote:

AYES—Messrs. Almy, Barnes, Cook, Culver, Daley, Davis, Deveny, Firebaugh, French, Heywood, Hunt, Hussey, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McLean, McMurray, Porter, Sullivan, Torrey, Van Voorhies, Watson of Alameda, Ward of Butte, Weaver, Whitcomb, and Mr. Speaker—30.

NOES—Messrs. Allen, Ashe, Banbury, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Corcoran, DeWitt, Dooling, Douglas, Edwards, Ellison, Gregory, Hazard, Heath, Henley, Henry, Johnson, Jones, Jordan, Laughlin, Leary, McGlashan, McJunkin, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Walrath, Watson of El Dorado, Ward of San Francisco, Wood, Woodward, and Yule —45.

LEAVE OF ABSENCE.

Mr. Parks was granted leave of absence until Monday, January 19, 1885.

COMMITTEE LEAVE OF ABSENCE.

Mr. Loud, Chairman of Committee on Municipal Corporations, asked for leave of absence for the committee until Monday, January 19, 1885.

There being objection to granting same, the House, upon a vote being taken, refused to grant it.

RECESS.

At twelve o'clock noon, on motion of Mr. Munday, the usual recess until two o'clock was taken.

REASSEMBLED.

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

Speaker pro tem. Weaver in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Henry, Heywood, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, Leary, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Yule.

Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHES AND EMPLOYES.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred a resolution authorizing the Controller to draw his warrants in favor of Cornelius Peck, Hampton Whitaker, and E. W. Hall, in sums of eight dollars each, for services as Porters, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HUSSEY, Chairman.

Adopted.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Long:

Resolved, That no further introduction of bills be allowed until the Senate has organized and duly notified the Assembly of such organization.

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

So ordered.

By Mr. Edwards:

Resolved, That the Sergeant-at-Arms be and he is hereby directed and required to keep the cloak room open from eight o'clock A. M. until ten o'clock P. M., for the convenience of the members of this House.

So ordered.

ADJOURNMENT.

At two o'clock and fifteen minutes P. M., Mr. Henry moved that the House adjourn until two o'clock P. M. Monday, January 19, 1885.

Mr. Jones moved to amend, that the House take a recess until four o'clock P. M. this day.

The question being upon the amendment, the roll call was demanded by Messrs. Munday, Firebaugh, and Lovell, and the amendment was adopted by the following vote:

AYES—Messrs. Allen, Banbury, Barnett, Black, Britt, Colby, Davis, DeWitt, Dooling, Douglas, Edwards, Gregory, Hazard, Heath, Johnson, Jones, Jordan, Leary, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Pellet, Reeves, Roseberry, Russ, Walrath, Watson of El Dorado, Ward of Butte, Wood, and Yule—34.

NOES—Messrs. Almy, Ashe, Barnes, Beard, Carter of Solano, Clark, Cook, Corcoran, Culver, Deveny, Ellison, Firebaugh, French, Henry, Heywood, Hussey, Lafferty, Laughlin, Long, Loud, Lovell, McDonald, McMurray, Patterson, Pyle, Sullivan, Swayne, Torrey, Van Voorhies, Ward of San Francisco, Weaver, Whitcomb, and Woodward—33.

RECESS.

At two o'clock and thirty minutes P. M., the House took a recess until four o'clock P. M. this day.

REASSEMBLED.

The House reassembled.

Speaker pro tem. Weaver in the chair.

ADJOURNMENT.

At four o'clock and five minutes, Mr. Ellison moved that the House adjourn.

Roll call was demanded by Messrs. Firebaugh, Corcoran, and Black, and the motion was carried by the following vote:

AYES—Messrs. Ashe, Banbury, Barnes, Beard, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Daley, Dooling, Edwards, Ellison, French, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Laughlin, Long, Loud, McJunkin, McLean, Moffitt, Morris, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Wood, Woodward, and Yule—39.

NOES—Messrs. Allen, Almy, Barnett, Black, Britt, Corcoran, Culver, Davis, Deveny, DeWitt, Douglas, Firebaugh, Henley, Henry, Hussey, Lafferty, Leary, Lovell, McDonald, McGlashan, McMurray, Mears, Munday, Patterson, Pellet, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, and Whitcomb—32.

At four o'clock and eight minutes the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 17, 1885.

The House met pursuant to adjournment.

Speaker pro tem. Weaver in the chair.

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

Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Beard, Black, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

Pending the reading of the Journal, Mr. Dooling moved to dispense with the further reading.

So ordered.

Journal approved.

MESSAGE FROM THE SENATE—(OUT OF ORDER).

SENATE CHAMBER, SACRAMENTO, January 16, 1885.

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

Hon. Benjamin Knight	President pro tem.
Edwin F. Smith	Secretary.
J. J. McCarthy	Assistant Secretary.
F. J. Saxe	Assistant Secretary.
I. G. Messec	Sergeant-at-Arms.
John Pinch	Assistant Sergeant-at-Arms.
R. G. Falk	Minute Clerk.
John F. Meagher	Journal Clerk.
P. M. Sullivan	Enrolling Clerk.
George F. Tuttle	Engrossing Clerk.
Mrs. Lizzie T. Russell	Postmistress.

EDWIN F. SMITH, Secretary.

LEAVE OF ABSENCE.

Messrs. Coleman, Hussey, Watson, Goucher, and Britt were granted leave of absence until Monday.

PETITIONS.

By Mr. Yule: Resolutions adopted by the Technical Society of the Pacific Coast, adopted at the meeting January 5, 1885, referring to the necessity of establishing a unit for the measurement of water.

Referred to Committee on Mines and Mining.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1885.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 2—Authorizing the Board of State Harbor Commissioners to pay the claim of John S. Wilkins, introduced January 12, 1885—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

T. J. SWAYNE, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Jordan: Assembly Bill No. 147—An Act to acquiesce in the provision of the Act of Congress, approved March 1, 1877, relating to indemnity school lands improperly listed to the State of California. Also, to surrender to the United States any sixteenth or thirty-sixth section or other lands included within Indian, military, or other reservations made by the United States.

Referred to Committee on Public Lands.

By Mr. Barnett: Assembly Bill No. 148—An Act to amend section nine of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers."

Referred to Committee on Corporations.

By Mr. Pellet: Assembly Bill No. 149—An Act to put into effect certain provisions of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to compensation of officers of counties of the thirteenth class.

Referred to Committee on County and Township Governments.

By the Committee on Military Affairs: Assembly Bill No. 150—An Act to amend sections of the Code relating to the militia.

Ordered printed and placed on file.

By Mr. Reeves: Assembly Bill No. 151—An Act prescribing the mode of maintaining and defending possessory action on unsurveyed lands in the State.

Referred to Committee on Judiciary.

By Mr. Carter of Solano: Assembly Bill No. 152—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution, by adding a new subdivision thereto, to be known as subdivision fourteen.

Referred to Committee on Judiciary.

By Mr. Henry: Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

Referred to Committee on Agriculture.

Also, Assembly Bill No. 154—An Act to encourage the planting and cultivation of forest trees.

Referred to Committee on Agriculture.

By Mr. Jones: Assembly Bill No. 155—An Act to amend section two hundred and twenty-four of the Civil Code, concerning the adoption of children.

Referred to Committee on Judiciary.

By Mr. Loud: Assembly Bill No. 156—An Act to appropriate thirty-four thousand four hundred and nineteen dollars and forty cents.

Referred to Committee on Claims.

By Mr. Swayne: Assembly Bill No. 157—An Act to amend section two thousand and twenty-four of Code of Civil Procedure.

Referred to Committee on Judiciary.

CONCURRENT RESOLUTIONS.

By Mr. Munday: Relative to the forfeiture of unearned railroad land grants.

Referred to the Committee on Federal Relations.

By Mr. Heath: Relative to the issue of patents to railroad corporations for land applied for and claimed by such corporations.

Referred to the Committee on Federal Relations.

RESOLUTIONS.

By Mr. Ward of Butte:

Resolved, That the Sergeant-at-Arms is hereby directed to have the files of bills bound, from time to time, in volumes of fifty bills each, for the use and convenience of the members of this House.

Lost.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was now read, as follows:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, January 17, 1885.

To the Assembly of the State of California:

MR. SPEAKER: I have the honor to herewith transmit my first biennial message.

Very respectfully, your obedient servant,

GEORGE STONEMAN, Governor.

MOTION.

Mr. Carter of Contra Costa moved that the usual number of copies of the Governor's message be printed for distribution.

So ordered.

RESOLUTIONS—(RESUMED).

By Mr. Jordan:

WHEREAS, A question has arisen regarding the legality of the work heretofore done in the matter of the introduction of bills in this branch of the Legislature; and, whereas, the Governor has indicated his unwillingness to approve any Acts presented to this body and referred prior to the organization of the Senate, therefore, be it

Resolved, That all persons who have thus far introduced bills in the Assembly be and they are hereby permitted to withdraw the same and reintroduce them with the same numbers they now have, and that they be re-referred to the same committees now having them under consideration.

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

Lost.

Mr. Hazard moved that the resolution be referred to a committee of three, and that the committee be instructed to report on Monday.

So ordered.

The Speaker appointed Messrs. Hazard, Jordan, and Woodward as such committee.

PETITION—(OUT OF ORDER).

By Mr. Cook, by request: Relative to viticulture and viniculture in the Counties of Santa Clara, Santa Cruz, San Benito, and Monterey.

Referred to Committee on Viticulture and Viniculture.

MOTION TO ADJOURN.

At twelve o'clock and fifteen minutes Mr. Morris moved to adjourn until eleven o'clock Monday, January 19, 1885.

The roll call was demanded by Messrs. Walrath, Hazard, and Wood.

The motion was carried by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Barnett Beard, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Culver, DeWitt, Dooling, Douglas, Ellison, Gregory, Hazard, Heath, Henley, Hollister, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, McJunkin, Mears, Moffitt, Morris, Munday, Patterson, Porter, Pyle, Reeves, Russ, Walrath, Weaver, Whitcomb, and Woodward—43.

NOES—Messrs. Corcoran, Edwards, Henry, McLean, Pellet, Roseberry, Swayne, Ward of Butte, Wood, and Yule—10.

ADJOURNMENT.

At twelve o'clock and twenty minutes, the House adjourned until eleven o'clock A. M., Monday, January 19, 1885.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 19, 1885.

The House met pursuant to adjournment.

Speaker pro tem. Weaver in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

Pending the reading of the Journal, Mr. Carter of Contra Costa moved that the further reading be dispensed with.

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Messrs. Henley, Watson of Alameda, Heywood, Loud, and Corcoran were granted one day's leave of absence.

REPORT OF SELECT COMMITTEE—(OUT OF ORDER).

SACRAMENTO, January 19, 1885.

MR. SPEAKER: The committee to whom was referred the matter contained in the resolution of Mr. Jordan, relating to the withdrawal and introduction of bills, would repectfully report

that after due consideration your committee is of the opinion that it would be wise to adopt said resolution, and would therefore recommend the adoption of the same.

H. T. HAZARD, Chairman.
W. H. JORDAN.

Mr. Deveny moved that the report be made a special order for Thursday, at eleven o'clock A. M.

Lost.

The question being upon the adoption of the report, the roll call was demanded by Messrs. May, Munday, and Allen.

The report was rejected by the following vote:

AYES—Messrs. Ashe, Banbury, Barnes, Barnett, Beard, Black, Colby, Coleman, DeWitt, Ellison, French, Gregory, Hazard, Heath, Hollister, Hunt, Jordan, Long, McLean, Moffitt, Morris, Patterson, Pyle, Reeves, Roseberry, Russ, Watson of El Dorado, Wood, Woodward, and Yule—30.

NOES—Messrs. Allen, Almy, Britt, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Douglas, Edwards, Firebaugh, Franklin, Goucher, Henry, Johnson, Jones, Laughlin, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Munday, Porter, Sullivan, Swayne, Torrey, Walrath, Ward of Butte, Weaver, and Mr. Speaker—37.

REPORTS OF STANDING COMMITTEES.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred Concurrent Resolution No. 2, introduced by Mr. Goucher, and asking that W. H. Larew, Superintendent of Schools of Mariposa County, be granted a leave of absence from the State for the period of six months—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

JORDAN, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Edwards: Assembly Bill No. 158—To provide for the erection and management of a State Asylum for the Insane in southern California.

Referred to Committee on Public Buildings and Grounds.

By Mr. Barnett: Assembly Bill No. 159—An Act to amend sections one thousand five hundred and forty-three, one thousand five hundred and seventy-eight, one thousand five hundred and eighty, one thousand five hundred and eighty-one, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand seven hundred, one thousand seven hundred and seventy-five, one thousand eight hundred and fifty-seven, and one thousand eight hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," relating to public schools, and by repealing sections one thousand five hundred and eighty-two and one thousand six hundred and fifteen of said Code, all relating to public schools.

Referred to Committee on Education.

Also, Assembly Bill No. 160—An Act to amend section two thousand six hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved February 28, 1883, relating to roads and highways.

Referred to Committee on Roads and Highways.

By Mr. Goucher: Assembly Bill No. 161—An Act to provide for the deficiency in the appropriation for the salary of Clerk of the Supreme Court during the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 162—An Act fixing per diem fees for jurors serving on Coroners' juries of inquests and on the trial of criminal cases in Justices' Courts, and providing the method of paying the same.

Referred to Committee on County and Township Governments.

By Mr. Henry: Assembly Bill No. 163—An Act to eradicate glanders and farcy, a disease among horses and other animals, and to empower the several County Boards of Supervisors of this State to create the office of County Veterinary Surgeon, and to provide for his compensation and define his powers and duties.

Referred to Committee an Agriculture.

By Mr. McLean: Assembly Bill No. 164—An Act to amend section one thousand six hundred and sixty-four of the Political Code, relating to public schools.

Referred to the Committee on Education.

By Mr. Munday: Assembly Bill No. 165—An Act to amend section one thousand seven hundred and sixty-eight of chapter six of an Act to provide for the organization, incorporation, and government of municipal corporations, etc.

Referred to the Committee on Municipal Corporations.

By Mr. Black: Assembly Bill No. 166—An Act providing money for the contingent expenses of the Controller.

Referred to the Committee on Ways and Means.

By Mr. May: Assembly Bill No. 167—An Act making an appropriation for the deficiency in the support of the State Prison at San Quentin for the thirty-fifth fiscal year.

Referred to the Committee on Ways and Means.

Also, Assembly Bill No. 168—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at the State Prison at San Quentin for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

By Mr. Carter of Solano: Assembly Bill No. 169—An Act to amend section six hundred and thirty-four of the Penal Code, relative to fish and game.

Referred to the Committee on Fish and Game.

RECESS.

At twelve o'clock and thirty minutes, the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. McJunkin:

WHEREAS, Congress, by an Act approved July 5, 1884, directed the Board of Managers of the National Home for Disabled Volunteer Soldiers to inquire into the expediency of establishing a branch of the Home in the State of California, for the Pacific Coast, and to that end to receive propositions from the Directors of the Veterans' Home, located in Napa County, Califor-

nia, for the transfer of the buildings, grounds, and property of said Veterans' Home to the United States, for use as a branch of the National Home for Disabled Volunteer Soldiers, and to report to Congress in respect to the propriety and expediency of accepting said Veterans' Home for such branch; and, whereas, the Directors of the Veterans' Home of California have adopted and transmitted to the Board of Managers of the National Home for Disabled Volunteer Soldiers, resolutions proposing to transfer the buildings, grounds, and property of the said Veterans' Home to the United States, for use as a branch Home for the Pacific Coast; and, whereas, the Board of Managers of the National Home have communicated to the Directors of the Veterans' Home of California their intention to recommend to Congress, at its present session, the establishment of a branch of the National Home in California, for the Pacific Coast; and, whereas, there are many disabled volunteer soldiers of the war with Mexico and of the civil war, on the Pacific Coast, who are now in urgent and immediate need of the care and maintenance of such a Home, and have a just claim for such relief as the Government has given to their comrades in the Atlantic States; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That our Senators and Representatives in Congress are requested to use every effort to procure the passage by Congress at its present session of an Act authorizing and directing the Board of Managers of the National Home for Disabled Volunteer Soldiers, within three months after the passage of the Act, or as soon thereafter as practicable, to locate a branch of said Home at some suitable point in the State of California; and further authorizing and directing said Board of Managers to accept and receive from the Directors of the Veteran Home Association of California a donation and transfer to the United States of all the property, real and personal, of said association in Napa County, in said State, if in the judgment of said Managers the same be suitable for such Home; and, further, making at its present session an adequate appropriation of money for the support and maintenance of the disabled volunteer soldiers at said Home, in case the said transfer be accepted by said Managers.

Resolved, That the Governor be requested to transmit forthwith to each of our Senators and Representatives in Congress a copy of these resolutions.

Mr. McJunkin moved the suspension of the rules, and the immediate consideration of the resolution.

So ordered.

The question being upon the adoption of the resolution, it was so ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1885.

MR. SPEAKER. Your Committee on Elections, to whom was referred the matter of the contested election of Julius Buhlert vs. D. J. Leary, would respectfully report that both contestant and respondent appeared before your committee with counsel; that your committee has heard all the evidence and proofs produced, and arguments of counsel, both as to the law and the facts, and are of the unanimous opinion that the sitting member, D. J. Leary, is not entitled to the seat from the Fortieth Assembly District, and that Julius Buhlert, contestant herein, is entitled to said seat.

McMURRAY, Chairman.

The question being upon the adoption of the report, roll call was demanded by Messrs. Carter of Solano, Hazard, and Barnett, and the report was adopted by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Beard, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Johnson, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—68.

NOES—Messrs. Barnett, Henry, and McDonald—3.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1885.

MR. SPEAKER: Your Committee on Elections, to whom was referred the matter of the contested election of W. B. Tyler vs. T. C. Morris, would respectfully report that the contestant, W. B. Tyler, has failed to proceed in accordance with the law in bringing his contest before the Assembly, and has no legal standing as such contestant, and that T. C. Morris is clearly entitled to the seat from the Fifty-second Assembly District.

McMURRAY, Chairman.

Mr. Firebaugh, of the Committee on Elections, asked permission to submit a minority report.

Mr. Munday raised an objection.

The question being on admission of said minority report, the roll call was demanded by Messrs. Allen, Edwards, and Yule, and the minority report was admitted by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Beard, Carter of Contra Costa, Carter of Solano, Coleman, Cook, Culver, Davis, DeWitt, Douglas, Edwards, Ellison, Finebaugh, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—52.

NOES—Messrs. Barnett, Black, Britt, Clark, Colby, Corcoran, Daley, Deveny, Dooling, Franklin, French, Goucher, Gregory, Henry, Johnson, McDonald, McMurray, Mears, Moffitt, Munday, Patterson, and Watson of El Dorado—22.

Mr. Firebaugh then submitted the following minority report:

MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1885.

MR. SPEAKER: The undersigned minority of the Committee on Elections, to whom was referred the matter of the contest of W. B. Tyler against T. C. Morris for a seat in the Assembly from the County of Alameda, beg leave to report the following: That it is the opinion of the undersigned that the objections made by respondent to the papers of the contestant are purely technical and without merit. That all of said objections have been heretofore fully argued before said committee, and decided in favor of the contestant. That after said objections had been fully argued and disposed of, the committee, by virtue of the authority vested in them by this honorable Assembly, ordered that the County Clerk of Alameda County should appear before them and produce and open the ballots cast at the general election held in the Fifty-second Assembly District November 4, 1884, and that the same should be counted by said committee. That the said County Clerk obeyed said order, and appeared before the committee with the ballots cast at said election.

That the committee then adjourned until Friday, January 16, 1885. That upon the meeting of the committee on said date, a resolution was introduced that the contest of Tyler against Morris should be dismissed, for the alleged reason that said Tyler's papers were not properly drawn, and said contest not properly before the committee. That all of the objections stated in said resolution had been previously passed upon by this committee and decided in favor of contestant, but nevertheless and in spite of the protest and points of order made by the minority of this committee, said resolution was declared carried.

The principal point raised by respondent was that contestant had not followed Section 275 of the Political Code, which provides that "on the filing of the statement the County Clerk must issue a commission, directed to two Justices of the Peace of his county, to meet at a time and place specified in the commission, - - for the purpose of taking the depositions of such witnesses as the parties to the contest may wish to examine." No commission was issued by the County Clerk, but a written stipulation was filed, signed by said Tyler and Morris, stipulating that as neither party desired to take any evidence, but relied upon a recount of the ballots, the County Clerk need not issue a commission; but that if at any time thereafter either party desired to take depositions the same might be taken before any Justice of the Peace or Notary Public of Alameda County, upon five days written notice to the other side.

Again, in the "Notice of Contest" the contestant gave respondent direct and specific notice that so far as he, the contestant, was concerned, no witnesses would be called, but that contestant would rely wholly upon a recount of the ballots. It must be remembered that the Code does not require that the contestant should procure a commission to be issued. It is the County Clerk who is charged with that duty, if it be a duty, and if he fails in the performance, surely the contestant cannot be held responsible for the laches and neglect of the Clerk, any more than he could be held responsible if the County Clerk should neglect to forward the contest papers to the Secretary of State.

Again, the very section itself shows that the object of issuing a commission is simply for the purpose of taking the depositions of witnesses; and if there are no witnesses to be examined, why should a commission be issued? It is a well known maxim of jurisprudence that "the law never requires a vain thing to be done;" and, also, that where the reason of a rule ceases, the rule itself ceases (see 58 Cal. 98, and Sections 3510 and 3532 Civil Code). Besides this, either party had a right to take depositions at any time, under Section 282 of the Political Code, as well as under the stipulation heretofore referred to, and none of the substantial rights of the parties or the people were lost or affected by the procedure pursued in this case. Such a provision is for the benefit of the parties contesting, and, therefore, either party may waive the right.

In the case of People v. Robinson (46 Cal. 94), in the opinion of the Court, it is said:

"It is a familiar principle that a party may waive a right created by a statute for his benefit. The right here insisted upon was the creature of the statute, and would have no existence without it. He requested the Court to disregard it in his favor, and cannot now be heard to say that the Court erred in granting his own request."

Another objection made by respondent was that contestant had not sufficiently alleged his citizenship and residence. This objection is clearly frivolous and entitled to no consideration.

Contestant, in his grounds of contest, alleges that he is a qualified voter of precinct one, Town of Alameda, Assembly District Number Fifty-two, County of Alameda, State of California, and that he has been a citizen and inhabitant of the State of California for the three years prior to the fourth day of November, 1884, and that he has been a citizen and inhabitant of Assembly District Number Fifty-two, for two years prior to said last mentioned date.

This allegation is amply sufficient, as the section of the Political Code governing this matter simply provides that "the right of any person declared elected to a seat in the Senate or Assembly may be contested by any qualified voter of the county, or district, to be represented by such Senator or Assemblyman."

One or two other objections were made, but they are unimportant and wholly without merit. The rule is laid down in the Political Code, Section 4, that "the Code establishes the law of this State respecting the subjects to which it relates, and its provision and all proceedings under it are to be liberally construed with a view to effect its object and to promote justice."

There is another point that must not be forgotten, and that is, that by the Constitution of this State the Legislature is the sole judge of the election and qualification of its members.

As is said by McCrary, the great authority on elections:

"It is not within the constitutional power of Congress, by a legislative enactment or otherwise, to control either House in the exercise of its exclusive right to 'be the judge of the election returns and qualifications of its own members.' The laws that have been enacted on this subject, being, therefore, only directory and not absolutely binding, would have been more appropriately passed, as mere rules of the House of Representatives. * * * And the constant practice on the part of the House of varying those regulations has been regarded, no doubt, as a sufficient protest against the power or rights of the Senate in the premises." (McCrary on Elections, 2d ed., Section 349.)

Giving the law the liberal construction which common sense and the Code of this State requires, the contestant in this case has done everything required, and it only remains for this honorable Assembly, in the exercise of its power and authority in the premises, and in the interest of justice and right, to have the ballots cast at the late election for member of the Assembly from the Fifty-second Assembly District recounted, to determine the case herein, fully made up by the record, and ascertain therefrom whether the contestant received a plurality of the votes cast at said election, as alleged in his sworn statement of grounds of contest, or whether the plurality of said votes were cast for the respondent, and that this honorable Assembly having ascertained the truth, may take such action thereon as the law and right command.

This honorable Assembly should remember that no method existed by which said ballots could have been heretofore recounted, and that this House has full and exclusive jurisdiction to make a recount. (Political Code, Sections 1265 and 1266.) To the end that a precedent of justice and right may be made in this matter, the minority of your Election Committee respectfully asks this honorable Assembly to re-refer said contest to said Election Committee with instructions to proceed to obtain and recount said ballots and to report the result of said recount to this honorable Assembly, and that such other and further instructions may be given to said committee as may be proper and consistent with justice and law.

H. C. FIREBAUGH,
Minority of Election Committee.

Mr. Ellison moved to lay the report on the table.

Lost.

Mr. Firebaugh moved to refer the report to the Committee on Judiciary.

Lost.

Mr. McGlashan moved that both the minority and the majority reports of the Committee on Elections in the case of Tyler vs. Morris be made the special order for Wednesday, at two o'clock P. M.

Roll call demanded by Messrs. Corcoran, Munday, and Colby.

The motion was carried by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Carter of Solano, Clark, Colby, Coleman, Culver, Davis, Edwards, Ellison, Firebaugh, Heywood, Hollister, Jones, Laughlin, Long, Loud, McGlashan, McJunkin, McLean, McMurray, Mears, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Ward of Butte, Weaver, Wood, Woodward, and Mr. Speaker—36.

NOES—Messrs. Barnett, Beard, Black, Carter of Contra Costa, Cook, Corcoran, Daley, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Johnson, Jordan, Kalben, Lafferty, Lovell, May, McDonald, Moffitt, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Sullivan, Watson of El Dorado, and Yule—35.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced and referred as follows:

By Mr. Weaver: Assembly Bill No. 170—An Act to provide for the discovery and adjudication of the origin, extent, and nature of all appropriations, diversions, and utilization of water for agricultural purposes and other beneficial uses made in the State under the statutory laws thereto, or under the laws of the United States, or in pursuance of local custom or usage; and of all claims of right based upon appropriations, diversions, utilizations, laws, or customs; to provide for the recording thereof according to an approved and generally uniform system, and to provide for the annual correction or renewal of the record to correspond to the facts of the year in each case.

Referred to Committee on Irrigation.

Also, Assembly Bill No. 171—An Act to provide for the organization and control of water and irrigation districts.

Referred to Committee on Irrigation.

Also, Assembly Bill No. 172—An Act to amend section four thousand four hundred and sixty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the definition and sources of the law.

Referred to Committee on Irrigation.

By Mr. Pellet: Assembly Bill No. 173—An Act to provide for an additional asylum for the insane of the State of California.

Referred to Committee on State Hospitals.

By Mr. Edwards: Assembly Bill No. 174—An Act to prevent horses, mules, or asses from being kept, sold, or traded, or permitted to run at large or hitched in public places that are diseased with glanders, nasal gleet, or button farcy, and to provide for the killing of such diseased animals in certain cases.

Referred to Committee on Agriculture.

By Mr. Lafferty: Assembly Bill No. 175—An Act to pay the claim of the widow of P. T. Morris for work done for the State, and for the illegal confiscation of personal property.

Referred to Committee on Claims.

By Mr. Barnes: Assembly Bill No. 176—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relative to compensation of county officers.

Referred to Committee on County and Township Governments.

By Mr. McJunkin: Assembly Bill No. 177—An Act to provide for the publication of legal notices.

Referred to Committee on Judiciary.

By Mr. Patterson: Assembly Bill No. 178—An Act to regulate and limit the charges for services performed by telegraph corporations.

Referred to Committee on Corporations.

By Mr. Carter of Solano: Assembly Bill No. 179—An Act to amend section six hundred and thirty-six of the Penal Code, relative to fish and game.

Referred to Committee on Fish and Game.

By Mr. Patterson: Assembly Bill No. 180—An Act to amend the thirteenth and fourteenth subdivisions of subdivision three and the fourteenth subdivision of subdivision ten of section one hundred and sixty-three of an Act entitled "An Act to establish a uniform

system of county and township governments," approved March 14, 1883.

Referred to Committee on County and Township Governments.

Also, Assembly Bill No. 181—An Act to amend section two thousand two hundred and nine of the Civil Code, in relation to damages awarded when telegraphic messages are refused or postponed.

Referred to Committee on Corporations.

Also, Assembly Bill No. 182—An Act to regulate the rate of charges upon telegraph lines, and to prevent extortion by owners of telegraph lines.

Referred to Committee on Corporations.

By Mr. Mears: Assembly Bill No. 183—An Act to fix the place of publication of summons and other legal notices.

Referred to Committee on Judiciary.

By Mr. Weaver: Assembly Bill No. 184—An Act to repeal section one thousand four hundred and twenty-two of the Civil Code, relating to the rights of riparian proprietors.

Referred to Committee on Irrigation.

By Mr. Ellison: Assembly Bill No. 185—An Act to amend section one thousand one hundred and seventy of the Penal Code.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 186—An Act to amend sections three hundred and eighty-eight and three hundred and ninety-three of the Civil Code of the State of California, relating to judgments against corporations and the sale of corporate property.

Referred to Committee on Judiciary.

By Mr. Firebaugh: Assembly Bill No. 187—An Act to provide for the preparation and publication of quarterly crop and stock reports by the State Board of Agriculture.

Referred to Committee on Agriculture.

CONSTITUTIONAL AMENDMENTS.

By Mr. Weaver: Constitutional Amendment No. 3—To amend article fourteen, section one, of the Constitution of the State of California.

Referred to Committee on Irrigation.

By Mr. Pyle: Constitutional Amendment No. 4—To amend article six of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS (OUT OF ORDER).

By Mr. Barnett:

Resolved, That one thousand extra copies of the irrigation bills just introduced by Mr. Weaver be and are hereby ordered printed for the use of members of the Assembly.

So ordered.

By Mr. Corcoran:

Resolved, That, in addition to the number already ordered, one hundred and forty copies of each bill hereafter printed be ordered printed.

Laid on the table for one day, under the rules.

CONCURRENT RESOLUTIONS.

By Mr. Heath: Concurrent Resolution—Relative to sending the collection of the State Mineralogist to the World's Industrial and Cotton Exposition at New Orleans.

Referred to Committee on Agriculture, Mining, and Mechanic Arts College.

FIRST READING OF BILLS.

By Mr. May: Assembly Bill No. 2—An Act to authorize the Board of State Harbor Commissioners to pay the claims of John S. Wilkins.

Read first time, and ordered to second reading.

At the request of the Committee on Military Affairs, Assembly Bill No. 150 was taken from the file and re-referred to that committee.

CONCURRENT RESOLUTION.

By Mr. Goucher: Relative to granting leave of absence from the State to W. H. Larew, Superintendent of Schools of Mariposa County.

The question being upon the adoption of the resolution, it was lost.

Mr. Buhlert now came forward and took the oath of office, as follows:

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

ADJOURNMENT.

At three o'clock and fifty minutes, on motion of Mr. Swayne, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 20, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.
Journal corrected and approved.

PRESENTATION OF PETITIONS.

By Messrs. Laughlin and Almy: From the citizens of Monterey and Marin Counties, requesting the introduction of a bill to increase the salary of the School Superintendents in counties of the twentieth class, and to provide for the payment of his necessary traveling expenses by the Supervisors of his county.
Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1885.

MR. SPEAKER Your Committee on Education, to whom was referred Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend the passage of the substitute.

JORDAN, Chairman.

The bill was ordered on file.

ON ATTACHES AND EMPLOYES.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1885.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions, have had the same under consideration, and recommend as follows:

That resolution authorizing the appointment of two clerks for Ways and Means Committee.

Also, resolution authorizing the appointment of S. Bones and J. Carroll as Pages to Speaker and Clerk's desk,

Also, resolution authorizing the appointment of Thomas Moran and J. H. Williams as Porters for committee rooms;

Also, resolution authorizing the appointment of Louis Blankman as Porter for the Committees on Commerce and Navigation, and Education;

Also, resolution authorizing the appointment of Charles Stanton as Enrolling Clerk;

Be reported back without recommendation.

That portion of resolution authorizing the payment of eight dollars each to B. McFee and John Williams for services as Porters—do pass.

That the other portion of same resolution, authorizing the payment of six dollars each to S. Bones, David Feltz, F. J. Pierce, W. Jobson, and S McClintic for services as Pages—do not pass.

Your committee further recommend that the following resolutions do not pass:

Resolution authorizing the appointment of a clerk for the Committee on Indian Affairs, who shall also act as clerk on Silk Culture.

Also, resolution authorizing the appointment of a clerk for the Alameda delegation.

Also, resolution authorizing the appointment of a clerk and Porter for the San Joaquin Valley delegation.

HUSSEY, Chairman.

The resolutions were read seriatim, and the following action taken:

Resolved, That the Committee on Ways and Means be allowed two clerks at five dollars per day.

So ordered.

Resolved, That S. Bones be and he is hereby appointed a Page to the Speaker and the clerks at the desk, at a per diem of three dollars, payable out of the Contingent Fund of the Assembly.

Resolved, That J. Carroll be and he is hereby appointed Page, to attend the Speaker and clerks at the desk, at a per diem of three dollars, payable out of the Contingent Fund of the Assembly; and the Controller is authorized to draw his warrant for the same, payable out of said fund.

Lost.

Resolved, That Thomas Moran and J. H. Williams be and are hereby appointed committee room Janitors, at the same salary as other Porters.

Lost.

Resolved, That Louis Blankman be and hereby is appointed as Porter for the Committees on Commerce and Navigation, and Education, at the same per diem as the Porters of other committees.

Lost.

Resolved, That Chas. Stanton be and he is hereby appointed Enrolling Clerk of the Assembly, at a per diem of eight dollars, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Lost.

Resolved, That the Controller of State is hereby authorized to draw his warrants in favor of B. McFee and J. Williams in the sum of eight dollars each, for services as Porters; also, in favor of S. Bones, David Foltz, F. J. Pierce, Willie Jobson, and S. McClintic in the sum of six dollars each, as Pages, payable out of the Contingent Fund of the Assembly.

Ordered, that warrants be drawn in favor of B. McFee and J. Williams, for services as Porters.

Resolved, That the Committee on Indian Affairs be allowed a clerk at five dollars per diem, who shall also act as clerk of Committee on Silk Culture.

Lost.

Resolved, That the Alameda delegation, consisting of more members than any other delegation in the Assembly, excepting the San Francisco delegation, be and is hereby allowed a clerk, at the usual salary paid committee clerks.

Lost.

Resolved, That the San Joaquin Valley delegation be allowed a clerk, at the per diem of five dollars, payable out of the appropriation for the contingent expenses of the Assembly. Also, a Porter at a per diem of three dollars.

Lost.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1885.

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

Resolved, That the Controller be ordered to draw warrants in favor of the following named members of the Assembly for the amount set opposite each of their names respectively, and that the Treasurer pay the same from the moneys appropriated to the General Fund for the per diem and mileage for Assemblymen for the thirty-sixth fiscal year.

NAME	Assembly District	Counties	Miles	Amount
Allen, S. I.	Twenty-fourth	Sonoma	282	$28 20
Almy, Joseph	Twenty-eighth	Marin	192	19 20
Ashe, R. I	Seventy-fifth	Kern and Ventura	556	55 60
Banbury, J.	Seventy-sixth	Los Angeles	976	97 60
Barnes, D. G.	Twenty-sixth	Solano	80	8 00
Barnett, Robert	Tenth	Colusa	160	16 00
Beard, E. B.	Sixty-sixth	Stanislaus	154	15 40
Black, J. F.	Fifty-first	Alameda	182	18 20
Britt, E. W.	Twelfth	Lake	408	40 80
Carter, G. W. T.	Fifty-seventh	Contra Costa	178	17 80
Carter, R. C.	Twenty-seventh	Solano	80	8 00
Clark, A. M.	Seventieth	Fresno	338	33 80
Colby, G. H.	Sixteenth	Placer	74	7 40

NAME	Assembly District	Counties	Miles	Amount.
Coleman, J. V.	Forty-ninth	San Mateo	210	$21 00
Cook, J. W.	Sixty-fourth	Santa Clara	256	25 60
Corcoran, H. J.	Fifty-eighth	San Joaquin	96	9 60
Culver, C. B.	Twenty-first	Yolo	40	4 00
Daley, James H.	Twenty-ninth	San Francisco	168	16 80
Deveny, P.	Thirty-first	San Francisco	168	16 80
DeWitt, E.	Seventy-first	Tulare	422	42 20
Dooling, M. T.	Sixty-eighth	San Benito	346	34 60
Douglas, C. D.	Forty-seventh	San Francisco	168	16 80
Edwards, E E.	Seventy-eighth	Los Angeles	1,022	102 20
Ellison, J. F.	Seventh	Tehama	270	27 00
Firebaugh, H. C.	Forty-first	San Francisco	168	16 80
Franklin, Joseph	Thirty-second	San Francisco	168	16 80
French, Frank	Forty-eighth	San Francisco	168	16 80
Goucher, G G.	Sixty-seventh	Merced and Mariposa	312	31 20
Gregory, U. S.	Sixtieth	Amador	118	11 80
Hazard, H T	Seventy-seventh	Los Angeles	956	95 60
Heath, Lucien	Fiftieth	Santa Cruz	410	41 00
Henley, Whit.	Eleventh	Mendocino	410	41 00
Henry, Allen	Eighth	Butte	196	19 60
Heywood, Walter M.	Fifty-fourth	Alameda	182	18 20
Hollister, Dwight	Twentieth	Sacramento	20	2 00
Hunt, W B	Thirty-eighth	San Francisco	168	16 80
Hussey, F. W	Thirty-fourth	San Francisco	168	16 80
Johnson, J. K.	First	Del Norte and Siskiyou	728	72 80
Jordan, W. H.	Fifty-fifth	Alameda	182	18 20
Kalben, E. C.	Thirtieth	San Francisco	168	16 80
Lafferty, John	Thirty-sixth	San Francisco	168	16 80
Laughlin, S. N.	Sixty-ninth	Monterey	392	39 20
Leary, D J.	Fortieth	San Francisco	168	16 80
Long, W. G.	Sixty-second	Tuolumne	200	20 00
Loud, E. F.	Forty-third	San Francisco	168	16 80
Lovell, F. M.	Forty-fourth	San Francisco	168	16 80
May, W. B.	Thirty-third	San Francisco	168	16 80
McDonald, T. H.	Forty-sixth	San Francisco	168	16 80
McGlashan, C. F.	Fifteenth	Nevada	142	14 20
McJunkin, H. K.	Forty-fifth	San Francisco	168	16 80
McLean, A	Seventy-fourth	Santa Barbara	738	73 80
McMurray, Jr., V. C.	Forty-second	San Francisco	168	16 80
Mears, W T.	Twenty-third	Sonoma	282	28 20
Moffitt, F. J.	Fifty-third	Alameda	182	18 20
Morris, T. C.	Fifty-second	Alameda	182	18 20
Munday, M. E. C	Twenty-fifth	Sonoma	282	28 20
Patterson, W T.	Sixty-third	Santa Clara	256	25 60
Pellet, H A.	Twenty-second	Napa	122	12 20
Porter, Arza	Seventy-third	San Luis Obispo	586	58 60
Pyle, D. M	Sixty-fifth	Santa Clara	256	25 60
Reeves, T	Seventy-ninth	San Bernardino	1,176	117 60
Roseberry, T. A.	Fifth	Modoc and Lassen	758	75 80
Russ, J.	Second	Humboldt	624	62 40
Sullivan, M. J.	Thirty-seventh	San Francisco	168	16 80
Swayne, T. J	Eightieth	San Diego	1,260	126 00
Torrey, M. S.	Sixty-first	Calaveras	146	14 60
Van Voorhies, R. J.	Seventy-second	Alpine, Mono, and Inyo	1,120	112 00
Walrath, A.	Fourteenth	Nevada	142	14 20
Watson, G. W.	Fifty-sixth	Alameda	182	18 20
Watson, E H.	Seventeenth	El Dorado	122	12 20
Ward, John M.	Ninth	Butte	156	15 60
Ward, C. H.	Thirty-ninth	San Francisco	168	16 80
Weaver, J. H. G.	Third	Humboldt	624	62 40
Whitcomb, N. T.	Thirty-fifth	San Francisco	168	16 80
Wood, George	Sixth	Plumas and Sierra	238	23 80
Woodward, F. J.	Fifty-ninth	San Joaquin	96	9 60
Yule, John	Fourth	Trinity and Shasta	434	43 40
W. H Parks, Speaker	Thirteenth	Sutter and Yuba	104	10 40
Buhlert, J.			168	16 80

JOHN LAFFERTY, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1885.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 6—An Act to add a new section to the Political Code, to be known as section six hundred and thirty-five (635), relative to the advertisement of the capital of insurance corporations,

Also, Assembly Bill No. 8—An Act to amend section three hundred and thirty-two (332) of the Civil Code, for the levying of assessments by corporations;

Also, Assembly Bill No. 73—An Act to amend section three hundred and four (304) of the Civil Code of the State of California, relating to corporations,

Also, Assembly Bill No. 74—An Act to amend section five hundred and ninety-nine (599) of the Civil Code of the State of California, relating to corporations,

Also, Assembly Bill No 82—An Act to amend section six hundred and thirteen (613) of the Civil Code of the State of California, relating to cemetery corporations;

Also, Assembly Bill No. 83—An Act to amend section three thousand seven hundred and eighty-eight (3788) of the Political Code, relating to revenue;

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

JONES, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, January 20, 1885.

To the honorable the Assembly of the State of California

MR SPEAKER: I have the honor to herewith transmit to the Assembly the report of State Engineer for the years 1883 and 1884, concerning the work in his department for that period, and embracing the subject of irrigation. I also transmit for your consideration a memorial from the State Irrigation Convention, recently held in the County of Fresno.

Very respectfully, your obedient servant,

GEORGE STONEMAN, Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 19, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Assembly Concurrent Resolution No 10—Relative to the establishment of a branch of the National Home for Disabled Volunteer Soldiers.

EDWIN F. SMITH, Secretary.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Ward of San Francisco: Assembly Bill No. 188—An Act to provide for compiling, illustrating, electrotyping, and printing a State series of school text-books.

Referred to Committee on Education.

By Mr. Hunt: Assembly Bill No. 189—An Act to require the payment of certain premiums to the fire departments of incorporated cities, cities and counties, and towns, by fire insurance companies not organized under the laws of the State of California but doing business therein, and providing for the disposition of such premiums.

Referred to Committee on County and Township Governments.

By Mr. Henley: Assembly Bill No. 190—An Act to amend section two thousand six hundred and forty-two and repeal section two thousand six hundred and forty-four of the Political Code, in relation to the election of Road Overseers.

Referred to Committee on County and Township Governments.

By Mr. Coleman: Assembly Bill No. 191—An Act to repeal chapter fifteen, title seven, part three, of the Political Code of the State of California.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 192—An Act to repeal chapter seventy-three of the statutes of California of 1883, entitled "An Act to amend an Act entitled an Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, numbered four thousand and forty-five, relative to the general permanent powers of Boards of Supervisors, and fixing licenses, approved March 13, 1883.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 193—An Act to repeal chapter two hundred and sixty-four of the statutes of California, entitled "An Act to establish pounds in the County of San Mateo," approved March 18, 1876, and all Acts amendatory thereof or supplementary thereto.

Referred to the Committee on Judiciary.

Also, Assembly Bill No. 194—An Act to amend subdivision twenty-seven of section twenty-five of an Act of the Legislature approved March 14, 1883, entitled "An Act to establish a uniform system of county and township governments."

Referred to the Committee on Judiciary.

Also, Assembly Bill No. 195—An Act to amend section two thousand six hundred and forty-three of chapter ten of an Act of the Legislature approved February 28, 1883, relating to roads and highways.

Referred to Committee on Roads and Highways.

By Mr. Jordan: Assembly Bill No. 196—An Act making it the duty of City Councils, or other local legislative bodies of municipal corporations of the first, second, and third classes, to build, repair, and furnish school houses, and to purchase and improve school building sites.

Referred to Committee on Education.

By Mr. Hussey: Assembly Bill No. 197—An Act to amend an Act to establish a Civil Code, approved March 21, 1872, by adding a new section, to be numbered section five hundred and forty-one.

Referred to Committee on Judiciary.

By Mr. Pyle: Assembly Bill No. 198—An Act to prevent common carriers from making discriminations and unjust and extortionate charges on the carriage of goods in violation of law.

Referred to Committee on Corporations.

By Mr. May: Assembly Bill No. 199—An Act making an appropriation for the deficiency in the appropriation for expenses of the Supreme Court under section forty-seven of the Code of Civil Procedure for the thirty-second fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 200—An Act making an appropriation for the deficiency in the appropriation for traveling expenses of the Railroad Commissioners for the thirty-second fiscal year.

Referred to the Committee on Ways and Means.

Also, Assembly Bill No. 201—An Act making an appropriation for the deficiency in the appropriation for the payment of rewards offered by the Governor for the thirty-first fiscal year.

Referred to the Committee on Ways and Means.

Also, Assembly Bill No. 202—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirtieth fiscal year.

Referred to the Committee on Ways and Means.

Also, Assembly Bill No. 203—An Act making an appropriation for the deficiency in the appropriation for traveling expenses of the Railroad Commissioners for the thirty-third fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 204—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses of Clerk of Supreme Court for the thirty-second fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 205—An Act making an appropriation for the deficiency in the appropriation for official advertising for the thirty-second fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 206—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirty-first fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 207—An Act making an appropriation for the deficiency in the appropriation for water, irrigation, purchase of hose, etc., for Capitol grounds for thirty-second fiscal year.

Referred to Committee on Ways and Means.

By Walrath: Assembly Bill No. 208—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to salaries of the eighth class.

Referred to Committee on County and Township Governments.

By Mr. Reeves: Assembly Bill No. 209—An Act to amend an Act entitled "An Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled 'An Act to establish a Political Code,'" approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, part three, of said Code, and substitute the same in place of said repealed chapter two of said Code, relating to roads and highways, approved February 28, 1883.

Referred to Committee on Roads and Highways.

By Mr. Britt: Assembly Bill No. 210—An Act to regulate the fees of jurors.

Referred to Committee on Judiciary.

By Mr. Davis: Assembly Bill No. 211—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

By Mr. McGlashan: Assembly Bill No. 212—An Act to amend section four hundred and nineteen of the Civil Code.

Referred to the Committee on Judiciary.

By Mr. Ellison: Assembly Bill No. 213—An Act making an appropriation to pay a deficiency in the appropriation for the fund for the costs and expenses of suits in which the State is a party in interest for the thirty-fifth fiscal year.

Referred to the Committee on Ways and Means.

CONSTITUTIONAL AMENDMENTS.

By Mr. Britt: Constitutional Amendment No. 5—An Act to amend the Constitution by providing for a commission to be appointed from time to time, with power to hear and determine appeals to the Supreme Court.

Referred to the Committee on Constitutional Amendments.

SECOND READING.

By Mr. May: Assembly Bill No. 2.
Read second time, and ordered to third reading.

RESOLUTIONS.

By Mr. Firebaugh:

Resolved, That the Committee on Elections be and it is hereby instructed to have printed and lay before the Assembly on or before eleven o'clock A. M. of January 21, 1885, a brief transcript of all action and proceedings taken by the committee in the contested election case of Tyler vs. Morris.

Roll call demanded by Messrs. Corcoran, Dooling, and Britt.
Lost, by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Buhlert, Davis, Edwards, Firebaugh, Hazard, Heywood, Hunt, Hussey, Johnson, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Roseberry, Russ, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, and Mr. Speaker—36.

NOES—Messrs. Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, DeWitt, Dooling, Douglas, Ellison, French, Goucher, Gregory, Heath, Henry, Hollister, Kalben, Lafferty, McDonald, Moffitt, Patterson, Pellet, Porter, Pyle, Reeves, Sullivan, Swayne, Van Voorhies, Watson of El Dorado, Weaver, Woodward, and Yule—39.

By Mr. McGlashan:

Resolved, That the shorthand reporter of the Election Committee be instructed to immediately transcribe his shorthand notes of the proceedings in the contested election case of Tyler vs. Morris.

So ordered.
By Mr. Laughlin:

Resolved, That as a means of giving measures of the greatest importance the earliest consideration by this Assembly, a standing committee of seven members be appointed by the Chair, whose duty it shall be to carefully consider the relative benefits that would accrue to the State by a passage of such bills as are placed at sundry times upon the General File, excepting those subject to the Special File, and said committee is hereby authorized and directed to select from the General File such bills, from time to time, as in their judgment are the most important to the State for the clerk to place upon the Special File at such times as said clerk shall make up said Special File; said clerk to give the said committee at least two days' notice of the time when such Special File is to be made up.

Referred to Committee on Rules and Regulations.

CONCURRENT RESOLUTIONS.

By Mr. Cook: Relative to the tariff on prunes.
Referred to Committee on Federal Relations.
By Mr. Porter: Relative to homestead settlers on public lands.
Referred to Committee on Public Lands.

RECESS.

At twelve o'clock and thirty minutes the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.
Quorum present.

APPOINTMENT.

Speaker Parks announced the appointment of S. Bones as Page.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed:

To authorize the Board of State Harbor Commissioners to pay the claim of John S. Wilkins.

Also—Assembly Concurrent Resolution No. 10—Relative to the establishment of a branch of the National Home for Disabled Volunteer Soldiers.

P. DEVENY, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1885.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. W. T. CARTER, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced and referred as follows:

By Mr. Firebaugh: Assembly Bill No. 214—An Act to amend an Act, and the title thereof, approved March 26, 1880, entitled "An Act authorizing the Boards of Supervisors of counties in which water is sold for irrigation purposes to fix water rates at which water shall be sold.

Referred to Committee on Judiciary.

By Mr. Van Voorhies: Assembly Bill No. 215—An Act to amend section one thousand six hundred and eighteen of the Code of Civil Procedure, relating to the compensation of executors and administrators.

Referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of the County Government Bill, authorizing the Board of Supervisors to allow certain deputies.

Referred to Committee on County and Township Governments.

By Mr. Black: Assembly Bill No. 217—An Act relating to barb wire fences along county roads.

Referred to Committee on Agriculture.

Also, Assembly Bill No. 218—An Act making an appropriation for water and improvements at the Deaf and Dumb Institute.

Referred to Committee on Ways and Means.

CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

By Mr. Roseberry: Constitutional Amendment No. 6—Proposing to amend section eight, of article thirteen, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

REQUEST.

The following resolution, introduced by Mr. Corcoran on Monday, and laid on the table for one day, was withdrawn by the consent of the House:

Resolved, That, in addition to the number already ordered, one hundred and forty copies of each bill hereafter printed be ordered printed.

INTRODUCTION OF BILLS—(OUT OF ORDER) RESUMED.

By Mr. Carter of Contra Costa: Assembly Bill No. 218—An Act to provide for the disincorporation of municipal corporations of less than three thousand inhabitants.

Referred to Committee on Municipal Corporations.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Barnes:

Resolved, That John H. Williams be and he is hereby appointed Committee Room Porter for the Committees on County and County Boundaries, Water Rights and Drainage, and Crimes and Penalties, at the same per diem as the other Porters, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. McMurray:

Resolved, That Thomas Moran be and he is hereby appointed Porter to the Committee Rooms at a per diem of four dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Sullivan:

Resolved, That S. F. Taylor be and he hereby is appointed Copying Clerk, at the same per diem as clerks at the desk, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Torrey:

Resolved, That Mrs. Ida Campbell is hereby appointed Assistant Copying Clerk, at the same per diem as Copying Clerk.

Referred to Committee on Attachés and Employés.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 21, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Finebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

REPORTS OF STANDING COMMITTEES.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1885.

MR. SPEAKER. Your Committee on Agriculture, to whom was referred Assembly Bill No. 1—An Act relating to barbed wire fences—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, as its provisions are more fully set forth in Bill No. 52.

G. W. T. CARTER, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1885.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 52—An Act entitled "An Act to provide and regulate the construction of all character of wire fences along and contiguous to public and private highways in the State of California"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

G. W. T. CARTER, Chairman.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1885.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 20, respectfully report that we have had the same under consideration, and recommend that it do pass.

C. B. CULVER, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1885.

MR. SPEAKER: Your Committee on Rules, to whom was referred the following resolution:

Resolved, That a standing committee on immigration be appointed, to consist of seven members, whose duty it shall be to consider all matters on the subject of immigation (except Chinese immigration), and to report their opinion thereon, that they be allowed a clerk, at the per diem allowed by law.

Have had the same under consideration, and now report the same back, and recommend that it do not pass

Also, the following resolution

Resolved, That as a means of giving measures of the greatest importance the earliest consideration by this Assembly, a standing committee of seven members be appointed by the Chair, whose duty it shall be to carefully consider the relative benefits that may accrue to the State by a passage of such bills as are placed at sundry times upon the General File (excepting those subject to the Special File), and said committee is hereby authorized and directed to select from the General File such bills from time to time as in their judgment are the most important to the State, for the Clerk to place upon the Special File, at such times as said Clerk shall make up said Special File, the said Clerk to give the said committee at least two days' notice of the time when such Special File is to be made up

Have had the same under consideration, and now report the same back, and recommend that it do not pass.

WEAVER, Chairman.

Report adopted.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 80—An Act to provide for the disincorporation of cities or towns incorporated by special Act of the Legislature of the State, and for the settlement and adjustment of the affairs thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

LOUD, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1885.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 64—An Act to allow municipal corporations to establish a system of sewage—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

LOUD, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 9—An Act to amend section three hundred and seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the sale and smoking of opium, or the preparation thereof.

Assembly Bill No. 15—An Act to amend section twelve hundred and seventy-six of the Code of Civil Procedure, relating to change of name.

Assembly Bill No. 17—An Act to authorize and empower county physicians and resident physicians of county and city and county hospitals within the State of California to administer oaths.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

JOHN F. ELLISON, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Concurrent Resolution has been correctly enrolled:

Assembly Concurrent Resolution No. 10—Relative to the establishment of a branch of the National Home for disabled volunteer soldiers.

And the same was, at eleven o'clock and forty-five minutes A. M., January 21, 1885, presented to the Governor for his approval.

JAMES H. DALEY, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Hazard: Assembly Bill No. 220—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-nine, one thousand one hundred and ninety-four, and one thousand one hundred and ninety-five, of title four, chapter two, of the Code of Civil Procedure, and to add four new sections thereto, to be known as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three.

Referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Referred to Committee on Claims.

By Mr. Loud: Assembly Bill No. 222—An Act to amend an Act, approved January 14, 1868, entitled "An Act to provide for the for-

mation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866.

Referred to Committee on Municipal Corporations.

By Mr. Deveny: Assembly Bill No. 223—An Act to regulate the sale of opium and other narcotic poisons.

Referred to Committee on Crimes and Penalties.

By Mr. Russ: Assembly Bill No. 224—An Act to amend section twenty-five of an Act to establish a uniform system of county and township governments.

Referred to Committee on County and Township Governments.

Also, Assembly Bill No. 225—An Act to amend an Act to prevent hunting, etc., on inclosed lands.

Referred to Committee on Agriculture.

By Mr. Ward of San Francisco: Assembly Bill No. 226—An Act to amend sections two thousand four hundred and thirty, two thousand four hundred and fifty-seven, two thousand four hundred and fifty-eight, two thousand four hundred and sixty-four, two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven, and two thousand four hundred and sixty-eight of the Political Code, relating to pilots and pilot regulations.

Referred to Committee on Commerce and Navigation.

By Mr. May: Assembly Bill No. 227—An Act for an appropriation for the deficiency in the appropriation for traveling expenses of Railroad Commissioners for thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 228—An Act making an appropriation for the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 229—An Act making an appropriation for the deficiency in the appropriation for pay of stenographer to Railroad Commissioners for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also. Assembly Bill No. 230—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-third fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 231—An Act making an appropriation for the deficiency in the appropriation for education and care of deaf, dumb, and blind, for thirty-third fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 232—An Act making an appropriation for the deficiency in the appropriation for furnishing State Normal School, San José, for thirty-third fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 233—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in State Library for the thirty-third fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 234—An Act making an appropriation for the deficiency in the appropriation for rent, printing, and contingent expenses of Insurance Commissioners for the thirty-third fiscal year.

Referred to Committee on Ways and Means.

the deficiency in the appropriation for stationery, fuel, lights, etc., State Capitol building, for the thirty-third fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 236—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at State Prison, San Quentin, for the thirty-third fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 237—An Act making an appropriation for the deficiency in the appropriation for payment of costs in suits where the State is a party in interest, for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

By Mr. Davis: Assembly Bill No. 238—An Act to appropriate money to pay the deficiency in the appropriation for the repair of the State Capitol, for the thirtieth fiscal year, the deficiency arising upon the claim of W. Laufkotter.

Referred to Committee on Ways and Means.

THIRD READING OF BILLS.

Assembly Bill No. 2—An Act to authorize the State Board of Harbor Commissioners to pay the claim of John S. Wilkins.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, French, Goucher, Gregory, Henry, Hollister, Johnson, Jones, Kalben, Lafferty, Laughlin, Loud, Lovell, May, McJunkin, McLean, Mears, Morris, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Whitcomb, Wood, Woodward, and Mr. Speaker—50.

NOES—Messrs Beard, Colby, Edwards, Ellison, Firebaugh, Hazard, Heath, Heywood, Hunt, Jordan, McGlashan, Moffitt, Patterson, Pellet, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, and Weaver—19.

Title approved.

FIRST READING OF BILLS.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Passed to await printing of amendment.

Assembly Bill No. 6—An Act to add a new section to the Political Code, to be known as section six hundred and thirty-five, relative to the advertisement of insurance corporations.

Read the first time, and ordered to second reading.

Assembly Bill No. 8—An Act to amend section three hundred and thirty-two of the Civil Code, to provide for the levying of assessments by corporations.

Read the first time, and ordered to second reading.

Assembly Bill No. 73—An Act to amend section three hundred and four of the Civil Code of the State of California, relating to corporations.

Read the first time, and ordered to second reading.

Assembly Bill No. 74—An Act to amend section five hundred and ninety-nine of the Civil Code of the State of California, relating to corporations.

Read the first time, and ordered to second reading.

Assembly Bill No. 82—An Act to amend section six hundred and thirteen of the Civil Code of the State of California, relating to cemetery corporations.

Read the first time, and ordered to second reading.

Assembly Bill No. 83—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to revenue.

Read the first time, and ordered to second reading.

Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

Read the first time, and ordered to second reading.

RESOLUTIONS.

By Mr. Carter of Contra Costa:

Resolved, That A. L. Pratt be and he is hereby appointed Assistant Journal Clerk, at the same per diem as the other clerks in that office, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

By Mr. Britt:

Resolved, That the Committee on Public Printing be and it is hereby requested to see that Assembly Bills are supplied to members in the order in which such bills are introduced.

Lost.

By Mr. Black:

WHEREAS, The force in the Journal Clerk's office is not adequate for the amount of work that they are compelled to do; and, whereas, the amount of work will in all events be on the increase from this time on; therefore, be it

Resolved, That Arnold Goodfriend be and he is hereby appointed Second Assistant Journal Clerk, at the same per diem as allowed the First Assistant Journal Clerk.

Referred to the Committee on Attachés and Employés.

By Mr. Patterson:

Resolved, That Charles Weltie be and is hereby appointed as Porter for the rooms of the Committee on Irrigation, his pay to be the same as the pay of other Porters; to be paid out of the Assembly Contingent Fund.

Referred to the Committee on Attachés and Employés.

FURTHER TIME GRANTED TO COMMITTEES.

The Committee on County and Township Governments was granted further time to make its report on Assembly Bill No. 19.

The Committee on Fish and Game was granted further time to report.

The Committee on Corporations was granted further time to make its report on Assembly Bills Nos. 7 and 67.

RECESS.

At twelve o'clock noon, the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

By request of Mr. Edwards, Assembly Bill No. 158 was taken from the Committee on Public Buildings and Grounds and referred to the Committee on State Hospitals.

SPECIAL ORDER.

Special order for this hour (two P. M.): Consideration of the majority and minority reports from the Committee on Elections in the matter of the contest of W. B. Tyler against T. C. Morris.

Mr. Jordan moved that the reports of both the majority and minority committee in the case of Tyler vs. Morris be recommitted to the Committee upon Elections, with instructions to open and count the ballots and report to this Assembly the number of said votes that were cast for each of the contesting parties.

Mr. McJunkin moved the previous question.

Motion carried on a division.

Roll call demanded by Messrs. Munday, Coleman, and Corcoran, and the previous question was sustained by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Colby, Coleman, Cook, Daley, Davis, Edwards, Ellison, Firebaugh, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, Mears, Pellet, Porter, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—46.

NOES—Messrs. Ashe, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Corcoran, Deveny, DeWitt, Dooling, Douglas, French, Goucher, Gregory, Henley, Henry, Johnson, Lafferty, McDonald, Moffitt, Munday, Patterson, Pyle, Sullivan, Watson of El Dorado, and Weaver—29.

The question then being upon the motion of Mr. Jordan, the roll was called, and the motion was carried by the following vote:

AYES—Messrs. Almy, Banbury, Carter of Solano, Colby, Davis, Edwards, Ellison, Firebaugh, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, Mears, Pellet, Porter, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—42.

NOES—Messrs Allen, Ashe, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Clark, Coleman, Cooke, Corcoran, Daley, Deveny, DeWitt, Dooling, Douglas, French, Goucher, Gregory, Henley, Henry, Johnson, Kalben, Lafferty, McDonald, Moffitt, Munday, Patterson, Pyle, Sullivan, and Watson of El Dorado—34.

ADJOURNMENT.

At three o'clock and fifty minutes, on motion of Mr. Pyle, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 22, 1885.

The House met pursuant to adjournment.

Speaker pro tem. Weaver in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

PRESENTATION OF PETITIONS.

By Mr. Heath: Petition from the residents of Watsonville and vicinity for an amendment to the Constitution, to prohibit the manufacture and sale, as a beverage, of all intoxicating liquors, within the jurisdiction of this State.

Referred to Committee on Constitutional Amendments.

Also—A petition from the citizens of Watsonville, to pass a local prohibition Act.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1885.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 158—An Act to provide for the erection of a State Asylum for the Insane to be located in Southern California—respectfully report the same back, in accordance with the order of the Assembly, for the purpose of referring the same to the Committee on State Hospitals.

W. J. DAVIS, Chairman.

ON FEDERAL RELATIONS.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred the following resolutions:

Resolved by the Assembly of the State of California, the Senate thereof concurring, That our Representatives in Congress be and they are hereby instructed to use every effort within their power to secure the passage of the "Mexican Veterans' Pension Bill," as amended in the Senate, through the House of Representatives.

Resolved, That the Governor of the State be requested to forward to each of our Representatives in Congress a copy of these resolutions

Have had the same under consideration, and now report the same back to the House, with the recommendation that they do pass.

RUSS, Chairman.

ON COUNTY AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1885.

MR. SPEAKER: Your Committee on County and County Boundaries, to whom was referred Assembly Bill No. 13—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, with section two stricken out.

J. M. WARD, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1885.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No 150—An Act to amend sections of the Code relating to the militia—have had the same under consideration, and respectfully report the same back, amended, and recommend that it do pass as amended.

J. BANBURY, Chairman

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883—have had the same under consideration, and respectfully report the same back, with an amendment, and recommend that it do pass as amended.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 46—An Act to authorize and empower the Boards of Supervisors of the various counties, cities and counties, and cities of the State, to regulate Supervisor electoral districts—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

LOUD, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1885.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 35—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations"—have had the same under consideration, and report back, recommending that the same be referred to the Judiciary Committee.

Also, Assembly Bill No. 70—An Act to repeal section sixty of an Act entitled "An Act to establish a Penal Code," approved March 2, 1874, relating to betting on elections.

Also, Assembly Bill No. 42—An Act to amend section four hundred and twelve of the Penal Code, relative to prize-fighting.

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

R. C. CARTER, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1885.

MR. SPEAKER: Your Committee on Mileage report in favor of allowing the Committee on State Prison the sum of two hundred dollars, to cover expenses of trip to the State Prison at San Quentin, and request that the Controller be ordered to draw a warrant on the Contingent Fund in favor of Joseph Almy for that amount.

LAFFERTY, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1885.

MR. SPEAKER: Your Committee on Mileage report in favor of allowing the sum of one hundred and eighty dollars to the Committee on Public Buildings and Grounds, to cover expense of trip to the Deaf and Dumb Asylum at Berkeley, and request that the Controller be ordered to draw a warrant on the Contingent Fund in favor of W. J. Davis for that amount.

LAFFERTY, Chairman.

Mr. McJunkin moved to lay the reports on the table.

Withdrawn, by consent of the House.

Mr. Woodward moved to refer the reports to the Committee on Mileage.

Lost, on a division.

Mr. Corcoran moved to indefinitely postpone the consideration of the reports.

Lost.

Mr. Loud moved that the reports be re-referred to the Committee on Mileage, with instructions to itemize the reports.

So ordered.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills:

No. 18—To amend sections one thousand nine hundred and seventeen and one thousand nine hundred and twenty of an Act entitled "An Act to establish a Civil Code."

No. 21—To amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors."

No 28—To amend section one hundred and seventy of the Code of Civil Procedure, relating to judicial incapacity.

No. 29—To amend section eight hundred and nineteen of an Act entitled "An Act to establish a Penal Code."

No. 48—To amend section one thousand one hundred and seventy-seven of the Code of Civil Procedure.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

J. F. ELLISON, Chairman.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1885.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 63—Entitled "An Act to provide for the transfer of certain lands from the State to municipal corporations"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, with the committee amendment.

C. B. CULVER, Chairman.

Speaker Parks now took the chair.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Patterson: Assembly Bill No. 239—An Act to establish a boys' reform school for the correction and reformation of juvenile offenders.

Referred to Committee on Public Morals.

By Mr. Watson of El Dorado: Assembly Bill No. 240—An Act relating to fees to be collected for services rendered in cases pending in any Court, executive department, or Land Office of the United States.

Referred to Committee on Judiciary.

By Mr. Deveny: Assembly Bill No. 241—An Act to add a new section to the Political Code, to be known as section three thousand three hundred and forty-six, relating to the power of Boards of Supervisors of any city and county, or city or town, having a population of one hundred thousand or more people, in this State, to make annual appropriation for the purpose of keeping in order burial grounds exclusively devoted to the interment of the deceased members of any organized order of exempt firemen therein.

Referred to Committee on Judiciary.

By Mr. McGlashan: Assembly Bill No. 242—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the support of the government of the State.

Referred to Committee on Fish and Game.

By Mr. Black: Assembly Bill No. 243—An Act to enlarge the duties of the Board of State Viticultural Commissioners.

Referred to Committee on Viticulture and Viniculture.

By Mr. Hazard: Assembly Bill No. 244—An Act to amend section three thousand four hundred and ninety-eight of the Political Code.

Referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 245—An Act amendatory of an Act entitled "An Act to form agricultural districts, and to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," so as to create a new district out of Fresno and Tulare Counties.

Referred to Committee on Agriculture.

By Mr. Firebaugh: Assembly Bill No. 246—An Act appropriating money to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relative to text-books.

Referred to Committee on Education.

Also, Assembly Bill No. 247—An Act to regulate the charges for towage of ships, barks, and barkentines in the Bay of San Francisco, and the waters tributary thereto.

Referred to Committee on Commerce and Navigation.

By Mr. Britt: Assembly Bill No. 248—An Act to amend section one hundred and twelve of an Act to establish a uniform system of county and township governments, approved March 14, 1883, relating to the duties of County Clerk.

Referred to Committee on County and Township Governments.

By Mr. Deveny: Assembly Bill No. 249—An Act to amend sections three hundred and thirty-nine, three hundred and forty, three hundred and forty-one, and three hundred and forty-three of the Penal Code, relative to pawnbrokers.

Referred to Committee on Crimes and Penalties.

By Mr. May: Assembly Bill No. 250—An Act to provide for the appointment of appointive officers, members of Boards of Commissioners of any county, city, city and county, township, or municipality, and to provide for the appointment of appointive officers to succeed officers, members of Boards, or Commissioners heretofore appointed, whose constitutional or legislative terms of office have already expired.

Referred to Committee on Municipal Corporations.

Also, Assembly Bill No. 251—An Act to amend sections three thousand eight hundred and forty, three thousand eight hundred and forty-one, three thousand eight hundred and forty-five, three thousand eight hundred and forty-six, three thousand eight hundred and fifty-one, three thousand eight hundred and fifty-three, three thousand eight hundred and fifty-four, three thousand eight hundred and fifty-seven, three thousand eight hundred and fifty-eight, three thousand eight hundred and sixty, and three thousand eight hundred and sixty-two of the Political Code of the State of California, relating to poll taxes.

Referred to Committee on Ways and Means.

By Mr. Watson of Alameda: Assembly Bill No. 252—An Act to amend the Civil Code by adding to part four, division first, a new title, providing for the incorporation of colleges and seminaries of learning.

Referred to Committee on Education.

By Mr. Weaver: Assembly Bill No. 253—An Act to provide for the organization of cities having a population of over three thousand

inhabitants and not exceeding ten thousand, into separate school districts, for the election therein of Boards of Education, and to prescribe their powers and duties.

Referred to Committee on Education.

By Mr. Davis: Assembly Bill No. 254—An Act to amend section five hundred and seventy-three of the Civil Code of the State of California, relating to saving or loan corporations.

Referred to Committee on Corporations.

By Mr. Hazard: Assembly Bill No. 255—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Referred to Committee on Agriculture.

By Mr. Hussey: Assembly Bill No. 256—An Act relative to the practice of dentistry.

Referred to Committee on Judiciary.

FIRST READING OF BILLS.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Read the first time, and ordered to second reading.

Assembly Bill No. 1—An Act relating to barbed wire fences.

Refused a first reading.

Assembly Bill No. 52—An Act entitled "An Act to provide and regulate the construction of all character of wire fences along and contiguous to public and private highways in the State of California."

Read the first time, and ordered to second reading.

Assembly Bill No. 20—An Act to subject certain reclamation districts in the State to the provisions of the Political Code, relating to procedure for the levy and collection of assessments in reclamation districts for reclamation purposes.

Read the first time, and ordered to second reading.

Assembly Bill No. 80—An Act to provide for the disincorporation of cities or towns incorporated by special Act of the Legislature of this State, and for the settlement and adjustment of the affairs thereof.

Refused a first reading.

Assembly Bill No. 64—An Act to allow municipal corporations to establish a system of sewage.

Read the first time, and ordered to second reading.

Assembly Bill No. 9—An Act to amend section three hundred and seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the sale and smoking of opium, or the preparations thereof.

Refused a first reading.

Assembly Bill No. 15—An Act to amend section one thousand two hundred and seventy-six of the Code of Civil Procedure, relating to change of name.

Refused a first reading.

Assembly Bill No. 17—An Act to authorize and empower county physicians and resident physicians of county and city and county hospitals within the State of California to administer oaths.

Refused a first reading.

SECOND READING OF BILLS.

Assembly Bill No. 6—An Act to add a new section to the Political Code, to be known as section six hundred and thirty-five, relative to the advertisement of insurance corporations.

Read second time.

LEAVE OF ABSENCE.

Mr. Porter was granted leave of absence until Monday.

RECESS.

At twelve o'clock and thirty minutes, the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ATTACHES AND EMPLOYES.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1885.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred two resolutions, authorizing the appointment of Thomas Moran and John H. Williams as Committee Room Porters, at the same per diem as paid to other Porters—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

F. W. HUSSEY, Chairman.

The question being upon the adoption of the resolutions, they were lost.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1885.

MR. SPEAKER. Your Committee on Public Buildings and Grounds, in the discharge of the duties imposed on them to visit the State buildings, beg leave to report that they have visited the Institute of the Deaf, Dumb, and Blind, at Berkeley, and are entitled to mileage for the following distances traveled: Messrs. Davis, Ward, Heywood, Watson, Van Voorhies, Sullivan, Kalben, Leary, and Clerk Nichols, each from Sacramento to Oakland and from Oakland to Berkeley, one hundred and ninety-two (192) miles.

WIN. J. DAVIS, Chairman.

Referred to Committee on Mileage.

ON FEDERAL RELATIONS.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred the following resolutions:

Resolved by the Assembly of the State of California, the Senate concurring, That our Senators in Congress be instructed and our Representatives requested to urge the passage of legislation to fix the tariff on prunes at three cents per pound.

Resolved, That the Governor be requested to transmit a copy of these resolutions to our Representatives in Congress.

Have considered the same, and now report the same back to the House, and recommend that they pass.

RUSS, Chairman.

Adopted.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills:

No. 22—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds, and to pay certain claims out of the General Fund.

No 47—An Act to amend section eleven hundred and seventy-three of the Code of Civil Procedure, relating to amendment of pleadings and to procedure in forcible entry and forcible and unlawful detainer actions.

No. 49—An Act to amend section eleven hundred and sixty-four of the Code of Civil Procedure, relating to parties defendant, and procedure in summary proceedings for obtaining possession of real property in certain cases.

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

J. F. ELLISON, Chairman.

ON STATE PRISON.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1885.

MR. SPEAKER. The mileage of Committee on State Prison and Clerk, to San Quentin and return, by order of the House—the distance being one hundred and ninety-eight miles—one hundred and ninety-eight dollars.

ALMY, Chairman.

Referred to Committee on Mileage.

ON AGRICULTURE, MINING, AND MECHANIC ARTS COLLEGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1885.

MR. SPEAKER: Your Committee on Agriculture, Mining, and Mechanic Arts College, to whom was referred Assembly Concurrent Resolution No. 11—Relative to sending the collection of the State Mineralogist to the World's Industrial and Cotton Centennial Exposition at New Orleans—have had the some under consideration, and respectfully report the same back, and recommend that it do pass.

Adopted.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1885.

MR. SPEAKER: Your Committee on Agricultural, Mining and Mechanic Arts College, to whom was referred Assembly Bill No. 108—An Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans—have had the same under consideration, and respectfully report that they have amended the same, and respectfully report the same back, and recommend that it do pass as amended.

R. J. VAN VOORHIES, Chairman.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 6—An Act to add a new section to the Political Code, to be known as section six hundred and thirty-five, relative to the advertisement of insurance corporations.

Mr. Corcoran moved to amend section one, by adding the following: "And subject to execution and forced sale under a judgment obtained in any Court of this State."

Lost.

Bill ordered engrossed, and to third reading.

Assembly Bill No. 8—An Act to amend section three hundred and thirty-two of the Civil Code, to provide for the levying of assessments by corporations.

Read second time.

Mr. Munday moved to refer the bill to the Committee on Judiciary.

So ordered.

Assembly Bill No. 73—An Act to amend section three hundred and four of the Civil Code of the State of California, relating to corporations.

Read second time, ordered engrossed, and to third reading.

Assembly Bill No. 74—An Act to amend section five hundred and ninety-nine of the Civil Code of the State of California, relating to corporations.

Read second time, ordered engrossed, and to third reading.

Assembly Bill No. 82—An Act to amend section six hundred and thirteen of the Civil Code of the State of California, relating to cemetery corporations.

Read second time, ordered engrossed, and to third reading.

Assembly Bill No. 83—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to revenue.

Read second time.

Mr. Hazard moved to amend by striking out section two.

So ordered.

Ordered engrossed, and to third reading.

Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

Mr. Hazard moved to refer the bill to the Committee on Judiciary.

Lost.

The question then recurring on the second reading of the bill, the roll call was demanded by Messrs. Weaver, Russ, and Davis, and the bill was ordered read the second time by the following vote:

AYES—Messrs. Allen, Almy, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Firebaugh, French, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McLean, Mears, Morris, Munday, Patterson, Pellet, Roseberry, Sullivan, Swayne, Torrey, Watson of Alameda, Ward of San Francisco, Whitcomb, Woodward, Yule, and Mr. Speaker—51.

NOES—Messrs. Ashe, Banbury, Colby, Coleman, Cook, Corcoran, Ellison, Jones, Jordan, Loud, McGlashan, McJunkin, McMurray, Reeves, Russ, Walrath, Weaver, and Wood—17.

Mr. Walrath moved to amend section two by inserting "twenty days" instead of "five."

Lost.

Mr. Coleman moved to amend by striking out section four.

Lost.

Mr. Colby moved to strike out the enacting clause.

Withdrawn, by consent of the House.

By request of the author of the bill, Mr. Henry, the bill was referred to the Committee on Judiciary, with instructions to report within six days.

LEAVE OF ABSENCES TO COMMITTEES.

The Committees on Education, Military Affairs, Public Buildings and Grounds, and State Hospitals, were granted leave of absence until Tuesday.

NOTICE OF RECONSIDERATION.

Mr. Hussey gave notice that he would move for a reconsideration of the action of the House upon the report of the Committee on Attachés and Employés.

APPOINTMENT.

The Speaker announced the appointment of Thomas Jones as Porter to the Committees on Public Buildings and Grounds, Mileage, and Judiciary.

FURTHER TIME GRANTED TO REPORT.

The Committee on Education was granted further time to report on Assembly Bills Nos. 5, 67, 86, and 89.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced and referred as follows:

By Mr. Lovell: Assembly Bill No. 257—An Act to prescribe the form of a policy of fire insurance to be used in California.

Referred to Committee on Corporations.

By Mr. Ellison: Assembly Bill No. 258—An Act to amend section four thousand four hundred and eight of the Political Code, relating to the powers of the Common Councils of cities.

Referred to Committee on Judiciary.

By Mr. Patterson: Assembly Bill No. 259—An Act to amend section one thousand five hundred and fifteen of an Act to establish a Penal Code, approved February 14, 1872.

Referred to Committee on Judiciary.

By Mr. Firebaugh: Assembly Bill No. 260—An Act to amend section two hundred and twenty-six of the Civil Code, in relation to the adoption of children.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 261—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as section one thousand and fifty-six, and to amend section one thousand and fifty-seven of said Act, relating to sureties on undertakings and bonds.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 262—An Act providing for the construction of a public morgue in the City and County of San Francisco.

Referred to Committee on Judiciary.

By Mr. Munday: Assembly Bill No. 263—An Act to amend sections seven hundred and sixty-four, seven hundred and seventy-one, seven hundred and seventy-three, and seven hundred and eighty-nine, and repeal seven hundred and fifty-eight of an Act to provide for the organization, incorporation, and government of municipal corporations.

Referred to Committee on Municipal Corporations.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Hazard: Relative to requesting Congress to amend the revenue laws so as to require every article imported intended for human consumption to contain a true label of its contents, subject to confiscation by default.

Referred to Committee on Federal Relations.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Deveny:

Resolved, That Frank Coffery be allowed six days' pay for labor performed as Porter to Sergeant-at-Arms of the Assembly, for work done previous to the organization of the House, he being an attaché of last Assembly, and that the State Controller is hereby instructed to draw his warrant on the State Treasury for said pay.

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

WHEREAS, A majority of the members of this House are away from the State Capital on Sundays, and as no necessity exists for the Post Office of this Assembly to be kept open during the entire day: therefore, be it

Resolved, That the Post Office of this Assembly shall be kept open on Sundays between the hours of SIX and eight o'clock P. M., and that the Postmistress be and she is hereby excused from further duty during the day.

So ordered.
By Mr. McMurray:

Resolved, That the State Controller be authorized to draw a warrant on the State Treasurer in favor of Julius Buhlert from January 5, 1885, to the nineteenth day of January, 1885, at the rate of eight dollars per diem during said time, payable out of the Contingent Fund of the Assembly.

So ordered.

ADJOURNMENT.

At three o'clock and thirty-five minutes P. M., on motion of Mr. Weaver, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 23, 1885.

The House met pursuant to adjournment.
Speaker Parks in the chair.
The roll was called, and the following members answered to their names:

Messrs Allen, Almy, Ashe, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Henry, Heywood, Hollister, Hussey, Johnson, Jones, Kalben, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Pellet, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Woodward, Yule, and Mr. Speaker.

Quorum present.
Prayer by the Chaplain.

LEAVE OF ABSENCE.

Messrs. Morris and French were granted leave of absence until Monday.
Mr. Heath was granted leave of absence for two days.
Pending the reading of the Journal, Mr. Hussey moved that the further reading be dispensed with.
So ordered.
Journal approved.

REPORTS OF STANDING COMMITTEES.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1885.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 14—An Act to amend that portion of section one hundred and sixty-three of the Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, which provides for the payment of Constables in counties of the thirty-first class—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

E. E. EDWARDS, Chairman.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1885.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 53—Entitled "An Act to propose an amendment to article twenty of the Constitution of the State of California in relation to miscellaneous subjects, by adding a new section thereto, to be known as section twenty-one, in relation to the equalization of electoral districts—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Constitutional Amendments.

Bill referred to Committee on Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1885.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 105—Entitled "An Act to amend sections one thousand two hundred and three and one thousand two hundred and four of the Political Code, relating to election tickets and ballots—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McMURRAY, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed.

Assembly Bill No. 6—An Act to add a new section to the Political Code, to be known as section six hundred and thirty-five, relative to the advertisement of insurance corporations.

Assembly Bill No. 73—An Act to amend section three hundred and four of the Civil Code of the State of California, relating to corporations.

Assembly Bill No. 74—An Act to amend section five hundred and ninety-nine of the Civil Code of the State of California, relating to corporations.

Assembly Bill No. 82—An Act to amend section six hundred and thirteen of the Civil Code of the State of California, relating to cemetery corporations.

Assembly Bill No. 83—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to revenue.

DEVENY, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 165—An Act to amend section seven hundred and sixty-eight of chapter six of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the power of Boards of Trustees and Boards of Education, in municipal corporations of the fifth class, to incur indebtedness in excess of money in the treasury applicable to the purposes for which such indebtedness is to be incurred—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LOUD, Chairman.

RECONSIDERATION.

Mr. Hussey moved that the action taken by the House, Thursday, on the report of the Committee on Attachés and Employés, be reconsidered.

So ordered.

The report was again read, as follows:

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1885.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred two resolutions, authorizing the appointment of Thomas Moran and John H. Williams as Committee Room Porters, at the same per diem as paid to other Porters—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

F. W. HUSSEY, Chairman.

The question then being upon the adoption of the resolutions, they were adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit, or otherwise—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 33—An Act to add one section to an Act of the Legislature of the State of California entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, to be known as section one hundred and eighty-five, to provide for the appointment and payment by the Board of Supervisors in counties of the fifth class, of clerks and assistants for county officers, and the allowance of necessary expenses incurred by the Sheriffs of such counties in the transaction of criminal business—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

J. F. ELLISON, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1885.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 11—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

E. W. T. CARTER, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1885.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 19—An Act to provide for the division of existing counties, and for the creation of new counties, to determine the location of county seat by an election, to declare the manner of providing officers, to provide funds for its support by the issuance of bonds, and to determine what portion of old county debt is chargeable to such new county—have had the same under consideration, and respectfully report the same back, and recommend that it pass, amended as per printed bill herewith reported.

E. E. EDWARDS, Chairman.

PETITIONS—(OUT OF ORDER).

By Mr. Cook: A petition from the citizens of California, now in attendance at the World's Industrial and Cotton Centennial Exposition at New Orleans, asking for an appropriation to assist in making a successful exhibit from California.

Referred to Committee on Agriculture, Mining, and Mechanic Arts College.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Heath: Assembly Bill No. 264—An Act to provide for the

organization of county agricultural associations, and for the management of same by State.

Referred to Committee on Agriculture.

By Mr. Carter: Assembly Bill No. 265—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Referred to Committee on Agriculture.

By Mr. May: Assembly Bill No. 266—An Act to appropriate money for the Supreme Court Library Fund.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 267—An Act to amend section twenty-five hundred and thirty-eight of the Civil Code, in relation to insurance.

Referred to Committee on Corporations.

Also, Assembly Bill No. 268—An Act to amend section one thousand six hundred and sixty-two of the Political Code, relating to public schools.

Referred to Committee on Education.

By Mr. Moffitt: Assembly Bill No. 269—An Act to establish a State school of industry, etc.

Referred to Committee on Education.

By Mr. Goucher: Assembly Bill No. 270—An Act to authorize magistrates to appoint clerks to write the testimony upon the examination of criminal charges, and fixing fees of the same.

Referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 271—An Act to suspend the operation and effect of section three thousand four hundred and seventy-seven of the Political Code, and to provide for the payment of Controller's warrants.

Referred to Committee on Swamp and Overflowed Lands.

Also, Assembly Bill No. 272—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section numbered three hundred and thirty-seven, for the punishment of certain persons who encourage gaming.

Referred to Committee on Judiciary.

By Mr. Carter of Solano: Assembly Bill No. 273—An Act to permit the electors of every Supervisor district in this State to vote on the question of the granting of licenses to sell intoxicating liquors.

Referred to Committee on Public Morals.

By Mr. Deveny: Assembly Bill No. 274—An Act to amend sections one and two of an Act entitled "An Act concerning lodging houses and sleeping apartments within the limits of incorporated cities," approved April 3, 1876.

Referred to Committee on Public Morals.

CONSTITUTIONAL AMENDMENTS.

By Mr. Loud: Assembly Constitutional Amendment No. 7—Amending article four, section two, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

THIRD READING OF BILLS.

Assembly Bill No. 6—An Act to add a new section to the Political Code, to be known as section six hundred and thirty-five, relative to the advertisement of insurance corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Barnes, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, DeWitt, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Henry, Hollister, Hussey, Jones, Lafferty, Laughlin, Loud, May, McDonald, McGlashan, McJunkin, Mears, Moffitt, Munday, Patterson, Pellet, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—56.

NOES—Mr. McLean—1.

Title approved.

Assembly Bill No. 73—An Act to amend section three hundred and four of the Civil Code of the State of California, relating to corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Barnes, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Henley, Henry, Heywood, Hollister, Hussey, Jones, Kalben, Lafferty, Laughlin, Loud, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Munday, Patterson, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—59.

NOES—None

Title approved.

Assembly Bill No. 74—An Act to amend section five hundred and ninety-nine of the Civil Code of the State of California, relating to corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Henley, Henry, Heywood, Hollister, Hussey, Jones, Lafferty, Laughlin, Loud, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Munday, Patterson, Pellet, Reeves, Roseberry, Russ, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—61.

NOES—None.

Title approved.

Assembly Bill No. 82—An Act to amend section six hundred and thirteen of the Civil Code of the State of California, relating to cemetery corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Barnes, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Firebaugh, Franklin, Goucher, Gregory, Hazard, Henley, Henry, Heywood, Hollister, Hussey, Jones, Lafferty, Laughlin, Loud, May, McDonald, McGlashan, McJunkin, Mears, Moffitt, Munday, Patterson, Pellet, Reeves, Russ, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, and Mr. Speaker—56.

NOES—Messrs. Ellison, McLean, Roseberry, and Swayne—4.

Title approved.

Assembly Concurrent Resolution No. 1—Relative to Mexican Veterans' Pension Bill in United States Congress.

Adopted.

FIRST READING OF BILLS.

Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the boundaries of Lake County.

Read first time, and ordered to second reading.

Assembly Bill No. 150—An Act to amend sections of the Code relating to the militia.

Read first time, and ordered to second reading.

Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and ordered to second reading.

Assembly Bill No. 46—An Act to authorize and empower the Boards of Supervisors of the various counties, cities and counties, and cities of the State, to regulate Supervisor electoral districts.

Refused first reading.

Assembly Bill No. 70—An Act to repeal section sixty of an Act entitled "An Act to establish a Penal Code," approved March 23, 1874, relating to betting on elections.

Read first time, and ordered to second reading.

Assembly Bill No. 42—An Act to amend section four hundred and twelve of the Penal Code, relating to prize fighting.

Read first time, and ordered to second reading.

Assembly Bill No. 18—An Act to amend sections one thousand nine hundred and seventeen and one thousand nine hundred and twenty of an Act entitled "An Act to establish a Civil Code," relating to interest payable upon moneys, and upon contracts when not specially controlled, and upon judgments.

Refused first reading.

Assembly Bill No. 21—An Act to amend an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors."

Refused first reading.

Assembly Bill No. 28—An Act to amend section one hundred and seventy of the Code of Civil Procedure, relating to judicial incapacity.

Refused first reading.

Assembly Bill No. 29—An Act to amend section eight hundred and nineteen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to service of warrants by peace officers in other counties than those in which they are issued.

Refused first reading.

Assembly Bill No. 48—An Act to amend section one thousand one hundred and seventy-seven of the Code of Civil Procedure, relating to practice and procedure in forcible entry and forcible and unlawful detainer actions.

Refused first reading.

Assembly Bill No. 63—An Act to provide for the transfer of certain lands from the State to municipal corporations.

Read first time, and ordered to second reading.

Assembly Bill No. 22—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds and to pay certain claims out of the General Fund.

Read first time, and ordered to second reading.

Assembly Bill No. 47—An Act amending section one thousand one hundred and seventy-three of the Code of Civil Procedure, relating to amendment of pleading and to procedure in forcible entry and unlawful detainer actions.

Read first time, and ordered to second reading.

Assembly Bill No. 49—An Act to amend section one thousand one hundred and sixty-four of the Code of Civil Procedure, relating to parties defendant and proceedings in summary proceedings for obtaining possession of real property in certain actions.

Read first time, and ordered to second reading.

RECESS.

At twelve o'clock and thirty minutes, the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

LEAVE OF ABSENCE.

The Committee on Mines and Mining was granted leave of absence for one day.

Messrs. Pyle and Hussey were granted leave of absence for one day.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 108—An Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans.

Read first time, and ordered to second reading.

SECOND READING OF BILLS.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Passed on the file.

Assembly Bill No. 52—An Act entitled "An Act to provide and regulate the construction of all character of wire fences along and contiguous to public and private highways in the State of California."

Passed on the file.

Assembly Bill No. 20—An Act to subject certain reclamation districts in the State to the provisions of the Political Code, relating to procedure for the levy and collection of assessments in reclamation districts for reclamation purposes. .

Read second time.

Mr. Corcoran moved to amend by striking out, in lines three and four, the words "by the Supervisors of a county."

So ordered.

Also, by striking out, in line seven, the words "procedure for the levy and collection of assessments."

So ordered.

Also, to amend the title by substituting the following: "An Act to subject certain reclamation districts in the State to the provisions of the Political Code."

So ordered.

The bill was ordered engrossed, and to be read a third time.

Assembly Bill No. 64—An Act to allow municipal corporations to establish a system of sewage.

Read second time.

The Committee on Municipal Corporations offered the following amendments: on page one, line fourteen, change the word "governing" to the word "legislative."

Lost.

Also, on page one, line seventeen, change the word "governing" to the word "legislative."

Lost.

Mr. Corcoran moved to amend by striking out the word "majority" and insert the word "two thirds" in section one.

Mr. Munday moved to amend by striking out section two.

So ordered.

Mr. McGlashan moved to amend by striking out section three.

So ordered.

Mr. Firebaugh moved to refer the bill to the Committee on Judiciary.

So ordered.

By request of Mr. Deveny, Assembly Bill No. 274 was taken from the Committee on Public Morals and referred to the Committee on Crimes and Penalties.

RESOLUTIONS—(OUT OF ORDER).

By Mr. McMurray:

Resolved by the Assembly, That the Committee on Public Buildings be empowered to send for persons and papers, issue subpœnas therefor, and compel the attendance thereof, in all proceedings and investigations which they shall consider expedient. Also, that the Chairman of said committee be further authorized to employ a Sergeant-at-Arms, with compensation, whenever such committee shall deem the same necessary.

Lost on a division of the House.

By Mr. McGlashan:

Resolved, That the Committee on State Prisons be and they are hereby authorized to employ an expert, to examine all books and records in any way relating to the management of the State Prisons located at San Quentin and Folsom.

So ordered.

By Mr. McGlashan:

WHEREAS, The Committee on State Prisons have come to the conclusion that it will be necessary to take some considerable testimony, relative to the prisons at San Quentin and Folsom, and to employ a shorthand reporter, and to administer oaths to witnesses, and to send for persons and papers; therefore,

Resolved, That the State Prison Committee be and they are hereby authorized to employ a shorthand reporter, to administer oaths, and to send for papers and persons, in making such investigation as they may deem proper, relative to the Branch Prison at Folsom and the State Prison at San Quentin, and their management.

So ordered.

By Mr. Firebaugh:

Resolved, That the Election Committee is hereby authorized to pay for the transcripts furnished in the contested election cases at not exceeding twenty cents per folio.

So ordered.

By Mr. Goucher:

Resolved, That the Chairmen of the several committees of the Assembly be and they are hereby directed to meet, immediately after adjournment, on Monday, January 26, 1885, and regulate, as nearly as may be, the time of committee meetings, so that every member of the Assembly may be able to attend all the meetings of every committee of which he is a member

So ordered.

The Speaker announced that Mr. Buhlert had been appointed on the same committees of which Mr. Leary had been a member.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced and referred as follows:

By Mr. McJunkin: Assembly Bill No. 275—An Act to amend section nine hundred and twenty-eight of an Act entitled "An Act to establish a Penal Code," approved April 16, 1880, relative to Grand Juries.

Referred to Committee on Judiciary.

By Mr. Heywood: Assembly Bill No. 276—An Act to provide for the granting of franchises to use streets and for the use of streets in incorporated cities and counties, cities or towns, and for the transportation of local passengers therein.

Referred to Committee on Municipal Corporations.

By Mr. Edwards: Assembly Bill No. 277—An Act concerning common carriers of water, and to define their duties.

Referred to Committee on Irrigation.

Also, Assembly Bill No. 278—An Act to declare the title to waters in rivers, streams, lakes, and ponds, and the right to its use.

Referred to Committee on Irrigation.

CONCURRENT RESOLUTIONS—(OUT OF ORDER).

By Mr. Coleman: Regarding the preservation of Lake Bigler and the public parks and forests in California.

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

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1885.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 75—Entitled "An Act to amend section one thousand one hundred and forty-two of the Political

Code," relating to Boards of Election—have had the some under consideration, and respectfully report the same back and recommend that it do pass.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1885.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 59—Entitled "An Act to prevent bribery at elections"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

McMURRAY, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1885.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance—have amended the same, and respectfully report the same back, and recommend its passage as amended.

Also, Assembly Bill No. 148—An Act to amend section nine of an Act entitled "An Act creating a Board of Bank Commissioners and prescribing their duties and powers," approved March 30, 1878—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

C. T. JONES, Chairman.

LEAVE OF ABSENCE.

Mr. Lafferty was granted leave of absence until Monday.

MOTION.

At two o'clock and fifty minutes, Mr. McGlashan moved that when this House adjourns, it adjourns until Monday, January twenty-sixth, at one o'clock P. M.

So ordered.

EXTENSION OF TIME TO COMMITTEES.

The Committees on Federal Relations, County and Township Governments, and Roads and Highways, were granted further time to report.

The Committee on Elections was granted further time to report on Assembly Bill No. 68.

PETITIONS—(OUT OF ORDER).

By Mr. Firebaugh: From the citizens of San Francisco, asking for a public morgue in that city.

ADJOURNMENT.

At three o'clock P. M., on motion of Mr. Dooling, the House adjourned until one o'clock Monday, January 26, 1885.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 26, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Jones, Jordan, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Patterson, Porter, Reeves, Russ, Swayne, Torrey, Van Voorhies, Walrath, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.
Prayer by the Chaplain.

LEAVE OF ABSENCE.

Messrs. Dooling, Laughlin, Watson of Alameda, Heywood, Lovell, Black, Pyle, Allison, and Moffitt were granted one day's leave of absence.

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

So ordered.

Journal approved.

PETITIONS.

By Mr. Heath: A petition from the Trustees of the City of Watsonville, asking the repeal of the Vrooman Act.

Referred to Committee on Municipal Corporations.

By Mr. Corcoran: A petition from the Stockton Board of Trade, asking the passage of Assembly Bill No. 61.

Referred to Committee on Municipal Corporations.

By Mr. Almy. From the citizens of the City of San Rafael, asking that section twenty-seven of chapter seventy-five of the new County Government Bill be amended so as to exempt incorporated towns from the provisions of the aforementioned law.

Referred to Committee on County and Township Governments.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on Public Buildings and Grounds respectfully report that on Friday, January twenty-third, they proceeded from the City of Sacramento to Napa, where they inspected the Napa Branch Insane Asylum buildings and grounds; and that the following named members of the committee—Messrs. Davis, Ward of San Francisco, Watson of Alameda, Kalben, May, Buhlert, Van Voorhies, Heywood, and Sullivan, and the clerk, N. S. Nichols—in the performance of the duty indicated, are entitled to mileage from Sacramento to Napa and return, one hundred and twenty-two miles.

WINFIELD J. DAVIS, Chairman.

Report referred to Committee on Mileage.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 262—An Act to provide for the construction and maintenance of a public morgue in the City and County of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 24—An Act to regulate and improve the civil service of the State of California—have had the same under consideration, and respectfully report the same back. Said bill involves no question upon which it is necessary or proper for the Judiciary Committee to express an opinion, and therefore recommend that without any expression of opinion by your committee, said bill be considered by the Assembly.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 64—An Act to allow municipal corporations to establish a system of sewage—have had the same under consideration, and respectfully report the same back, and propose the annexed bill as a substitute therefor, and recommend that said substitute do pass.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 110—An Act to amend section eight hundred and forty-six of the Code of Civil Procedure, relating to the issuance of alias summons in Justices' Courts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, amended as follows: Strike out of printed copy all of lines six and seven, and strike out section two.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 58—An Act to amend section eighteen hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to relations which disqualify certain persons from being witnesses in certain cases—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 32—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known as section nine hundred and eighty-seven, relating to the lien created upon real estate by the filing of a notice of the pendency of an action against the owner thereof upon an official bond.

Also, Assembly Bill No. 57—An Act to amend section one thousand three hundred and twenty-two of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the competency of a wife or husband to be a witness in certain cases.

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

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 25—An Act to amend section one hundred and thirty-seven of the Civil Code, relating to actions for maintenance without divorce.

Also, Assembly Bill No. 51—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure, relating to where and how trial by jury may be waived.

Also, Assembly Bill No. 71—An Act to prevent the careless use of firearms—introduced by Mr. Woodward.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 111—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, amended as follows: Insert in printed copy, in line seven, after the words "seven and a half," the words "twenty-one;" strike out of same line word "other;" strike out of line ten words "or who;" strike out line fourteen; strike out of line fifteen words "is played, carried on, or conducted;" strike out section two.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 79—An Act to amend section one thousand two hundred and forty-six of the Penal Code, relating to appeals to the Supreme Court—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

J. F. ELLISON, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on State Prison, have had the same under consideration, and recommend that the following members be allowed mileage for one hundred and ninety-eight miles: Almy, McGlashan, Firebaugh, Daley, Black, French, Watson, May, and Clerk Morse.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of one hundred and seventy-eight dollars and twenty cents in favor of Joseph Almy, Chairman, for above mileage, payable out of the Contingent Fund of the Assembly

So ordered.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1885.

MR SPEAKER Your Committee on Mileage, to whom was referred the report of the Committee on Public Buildings and Grounds—have had the same under consideration, and recommend that the following members be allowed mileage for one hundred and ninety-two miles. Davis, Ward Watson, Kalben, Leary, Van Voorhies, Heywood, Sullivan, and Clerk Nichols

Resolved, That the Controller be and is hereby authorized to draw his warrant for one hundred and seventy-two dollars and eighty cents in favor of W. J Davis, Chairman, for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 245—An Act amendatory of an Act entitled "An Act to form agricultural districts, and to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," so as to create a new district out of Fresno and Tulare Counties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER Your Committee on Agriculture, to whom was referred Assembly Bill No. 265—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER Your Committee on Agriculture, to whom was referred Assembly Bill No. 264—"An Act to provide for the organization of county agricultural associations, and for the management of the same by the State"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G W. T. CARTER, Chairman.

FURTHER TIME GRANTED COMMITTEES.

The Committee on Claims was granted further time to report.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. McJunkin: Assembly Bill No. 279—An Act to authorize the Board of Directors of the Veterans' Home Association to transfer the property in their possession to the Federal Government.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 280—An Act to provide for the further and better protection of purchasers against short weights in coal.

Referred to Committee on Commerce and Navigation.

By Mr. Corcoran: Assembly Bill No. 281—An Act to declare a part of the branch of the San Joaquin River, known as Middle River, not navigable.

Referred to Committee on Commerce and Navigation.

By Mr. French: Assembly Bill No. 282—An Act to amend section seven of an Act entitled "An Act to create an additional Police Judge's Court for the City and County of San Francisco, to define its powers and jurisdiction," approved March 7, 1881.

Referred to Committee on Judiciary.

By Mr. Jordan: Assembly Bill No. 283—An Act creating a State

and County Board of Examiners, and prescribing their duties and powers.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 284—An Act to amend section three hundred and fifty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to powers of corporations.

Referred to Committee on Corporations.

Also, Assembly Bill No. 285—An Act adding a new section to an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, to be and become section three hundred and ninety thereof, and relating to parties to actions and proceedings, especially the representative capacity of administrators, executors, and guardians, as parties.

Referred to Committee on Judiciary.

Also, Assembly Bill No 286—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known as section five hundred and ninety-three.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 287—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, concerning mortgages of personal property.

Referred to Committee on Judiciary.

By Mr. Morris: Assembly Bill No. 288—An Act to amend section one thousand three hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to letters of administration, to whom, and the order in which they are granted.

Referred to Committee on Judiciary.

By Mr. McLean: Assembly Bill No. 289—An Act to amend an Act entitled "An Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California entitled 'An Act to establish a Political Code,'" approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two in said Code, relating to roads and highways.

Referred to Committee on Roads and Highways.

By Mr. May: Assembly Bill No. 290—An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art.

Referred to Committee on Education.

Also, Assembly Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 292—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-sixth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 293—An Act to appropriate the sum of two thousand four hundred dollars for the purpose of paying the rent of the Hastings College of Law, San Francisco.

Referred to Committee on Ways and Means.

By Mr. McMurray: Assembly Bill No. 294—An Act to authorize the Board of State Harbor Commissioners to pay the claims of Richard A. Connor.

Referred to Committee on Claims.

By Mr. Britt: Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code so as to permit the sale of State school lands not suitable for cultivation, without requiring actual settlement thereon by the purchasers.

Referred to Committee on Public Lands.

Also, Assembly Bill No. 296—An Act to add a new section to the Political Code, to be numbered two hundred and forty-one, providing for the assignment of seats in the chambers of the Senate and Assembly, respectively, among the members of the Legislature.

Referred to Committee on Rules.

By Mr. Carter of Contra Costa: Assembly Bill No. 297—An Act to amend the Code, in relation to the taxation of ferry boats and all water crafts.

Referred to Committee on Commerce and Navigation.

By Mr. Watson of El Dorado: Assembly Bill No. 298—An Act to add a new section to the Political Code, to be designated as section one thousand and eighty-five, relating to patients in county hospitals voting.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 299—An Act to add a new section to the Penal Code, to be known as section three hundred and ten, relating to selling liquor to patients in county hospitals.

Referred to Committee on Judiciary.

By Mr. Jordan: Assembly Bill No. 300—An Act to amend section one thousand seven hundred and seventy-two of the Political Code.

Referred to Committee on Education.

Also, Assembly Bill No. 301—An Act to amend section one thousand six hundred and sixty-five of the Political Code.

Referred to Committee on Education.

By Mr. Firebaugh: Assembly Bill No. 302—An Act to provide for the publication of monthly crop and stock reports by the State Board of Agriculture.

Referred to Committee on Agriculture.

By Mr. Long: Assembly Bill No. 303—An Act to amend section seventeen hundred and eighty-eight of the Political Code of the State of California, relating to the election of City Boards of Examination by City Boards of Education.

Referred to Committee on Education.

By Mr. Yule: Assembly Bill No. 304—An Act for the relief of James Kannavan, George Carlisle, and George W. Citerson.

Referred to Committee on Claims.

By Mr. Laughlin: Assembly Bill No. 305—An Act for the relief of William Pyburn, or assignees, for services rendered as private in defending the eastern frontier against the attacks of Indians.

Referred to Committee on Claims.

Also, Assembly Bill No. 306—An Act for the benefit of the poor.

Referred to Committee on Judiciary.

Assembly Petition, relative to exhibits at the World's Fair at New Orleans, was taken from the Committee on Agriculture and referred to Committee on Agriculture, Mining, and Mechanic Arts College.

Mr. Heath withdrew Bill No. 10.

Mr. Gregory moved to have Bill No. 86 reported from the Committee on Education and referred to the Committee on Capital and Labor.

Lost.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 104—An Act to amend section two thousand six hundred and fifty-two of the Political Code of California, approved March 12, 1872

Also, Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1882.

Have had the same under consideration, and respectfully report the same back, and recommend that they pass.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER. Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 27—An Act to add two new sections to "An Act to establish a Political Code," to be numbered respectively three thousand one hundred and twelve and three thousand one hundred and thirteen, in relation to the duties and powers of Boards of Supervisors over cemeteries and places of burial situated in unincorporated towns or villages in this State, and to authorize them to prevent further interments therein, and to provide for the removal of bodies therefrom, when the sanitary condition of such towns are endangered by them—have had the same under consideration, and respectfully report the same back, and recommend that it pass as amended.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 208—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Also, Assembly Bill No. 44—An Act to amend section eighty of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Also, Assembly Bill No. 66—An Act to repeal an Act entitled "An Act concerning salaries of office of certain county and township officers of the County of San Bernardino," approved February 14, 1878.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed An Act to subject certain reclamation districts in the State to the provisions of the Political Code

DEVENY, Chairman.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Swayne: Relative to the coast defenses of the Pacific Coast States.

Referred to the Committee on Federal Relations.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Swayne:

Resolved, That the Controller be and he is hereby authorized to draw his warrant, payable out of the Contingent Fund of the Assembly, in favor of B. Ruhl, for the sum of fourteen dollars, for bookbinder's work furnished to the Assembly.

Referred to the Committee on Ways and Means.
By Mr. Jordan:

Resolved, That the Sergeant-at-Arms be authorized to draw his warrant in favor of the Committee on Education for the sum of five hundred and seventy-three dollars and sixty cents, in payment of said committee's mileage to and from the City of Los Angeles.

Referred to Committee on Mileage.
By Mr. McGlashan:

Resolved, That the expert and stenographer of the State Prison Committee be each allowed a per diem of ten dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Ways and Means.
By Mr. Jones:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of W. J. Davis, Chairman of the Committee on Public Buildings and Grounds, for the sum of one hundred and twenty-two dollars, for mileage of nine members, and the clerk of the Committee on Public Buildings and Grounds, from Sacramento to Napa and return.

Referred to Committee on Mileage.
By Mr. French:

Resolved, That the Committee on State Prison be and are hereby authorized to appoint a Sergeant-at-Arms for said committee at a per diem the same as the Sergeant-at-Arms of the Assembly, and the usual mileage, to be paid out of the Contingent Fund of the Assembly.

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

Resolved, That the Clerk of the Assembly is hereby instructed to report to this House, on Wednesday next, the names and daily compensation of all the employés of this Assembly and its committees.

So ordered.
By Mr. Munday:

Resolved, That the State Controller be and he is hereby requested to report to this House on Wednesday next the names and daily compensation of all employés of the Assembly and its committees of the twenty-fifth session.

Lost.
By Mr. McMurray:

Resolved, That the Committee on Elections be empowered to employ two tally clerks to count the ballots in the case of Tyler vs. Morris, at the same per diem as other committee clerks.

Referred to Committee on Attachés and Employés.

THIRD READING OF BILLS.

Assembly Bill No. 83—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to revenue.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny,

DeWitt, Edwards, Firebaugh, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Loud, May, McDonald, McJunkin, McLean, McMurray, Mears, Morris, Munday, Patterson, Pellet, Reeves, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, and Mr Speaker—57.

NOES—None.

Title approved.

FIRST READING OF BILLS.

Assembly Bill No. 44—An Act to amend that portion of section one hundred and sixty-three of the Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, which provides for the payment of Constables in counties of the thirty-first class

Withdrawn by consent.

Assembly Bill No. 105—An Act to amend sections one thousand two hundred and three and one thousand two hundred and four of the Political Code, relating to election tickets and ballots.

Read first time, and ordered to second reading.

Assembly Bill No. 165—An Act to amend section seven hundred and sixty-eight, of chapter six, of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations."

Read first time, and ordered to second reading.

Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit or otherwise.

Passed on file.

Assembly Bill No. 33—An Act to add one section to an Act entitled "An Act to establish a uniform system of county governments," to be known as section one hundred and eighty-five.

Read the first time, and ordered to second reading.

Assembly Bill No. 11—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read the first time, and ordered to second reading.

Assembly Bill No. 19—An Act to provide for the division of existing counties, and for the creation of new counties; to determine the location of county seats by an election; to declare the manner of providing officers; to provide funds for their support by the issuance of bonds, and to determine what portion of old county debts is chargeable to such new counties.

Mr. Barnett moved to refer the bill to the Committee on County and County Boundaries.

Roll call demanded by Messrs. Hazard, Edwards, and Munday.

The bill was so referred by the following vote:

AYES—Messrs Allen, Ashe, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, DeWitt, Hazard, Heath, Henley, Hollister, Hussey, Loud, May, McLean, McMurray, Mears, Morris, Munday, Patterson, Pellet, Reeves, Swayne, Torrey, Ward of Butte, Weaver, Woodward, Yule, and Mr. Speaker—40.

NOES—Messrs. Almy, Banbury, Colby, Deveny, Douglas, Edwards, Firebaugh, Franklin, French, Gregory, Hunt, Jordan, Lafferty, Laughlin, Long, McDonald, McGlashan, McJunkin, Russ, Van Voorhies, Walrath, Watson of Alameda, Whitcomb, and Wood—31.

Mr. McLean gave notice that he would move, to-morrow, a reconsideration of the action of the House upon Assembly Bill No. 19.

Assembly Bill No. 59—An Act to prevent bribery at elections.

On motion of Mr. Hazard, the bill was referred to the Committee on Judiciary.

Assembly Bill No. 75—An Act to amend section one thousand one hundred and forty-two of the Political Code, relating to Boards of Election.

Read the first time, and ordered to second reading.

Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance.

Read the first time, and ordered to second reading.

Assembly Bill No. 148—An Act to amend section nine of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Read the first time, and ordered to second reading.

SECOND READING OF BILLS.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Substitute of committee read.

IN THE COMMITTEE OF THE WHOLE.

On motion of Mr. May, the House went into Committee of the Whole for the purpose of considering Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Speaker Parks in the chair.

IN ASSEMBLY.

Speaker Parks in the chair.

Message received from the Senate

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Jordan, the House went into Committee of the Whole, for the purpose of further considering Assembly Bill No. 12.

Speaker Parks in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California—and now report it back, with a substitute, and recommend the passage of the substitute.

Report received.

Substitute adopted.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 52—An Act entitled "An Act to provide and regulate the construction of all character of wire fences along and contiguous to public and private highways in the State of California."

Ordered read second time.

Pending reading, bill was ordered passed on the file.

Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the boundaries of Lake County.

Mr. Henley moved that the bill be passed on the file.

So ordered.

Assembly Bill No. 150—An Act to amend sections of the Code relating to the militia.

Read second time.

Mr. Loud moved to amend by striking out in section three the following: "Each company may have not to exceed ten honorary members, who shall pay fifty dollars per annum each into the company treasury, and shall thereupon be entitled to all the exemptions to which men on the active list are entitled to, and shall not be required to drill or perform any military duty by reason of such membership."

Lost.

The Committee on Military Affairs amended section seven by inserting the following: After the words "four hundred dollars per company," "when the companies of a regiment or battalion are not located at the same place, such companies shall receive, in addition to above allowance, the actual fare to and from the place of assembly."

So ordered.

Mr. Loud moved to amend by striking out section ten.

So ordered.

The Committee on Military Affairs offered to amend the bill by adding a new section, to be known as number twelve.

So ordered.

Also, to amend the title by substituting the following: "An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four of the Political Code, relating to the National Guard of California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of California."

So ordered.

Bill ordered engrossed, and to be read third time.

ADJOURNMENT.

At four o'clock and ten minutes, on motion of Mr. May, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER.
Tuesday, January 27, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Brittt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

REPORTS OF STANDING COMMITTEES.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER. Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 72—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to salaries of county officers—have had the same under consideration, and respectfully report the same back, and recommend that it pass as amended.

EDWARDS, Chairman.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1885.

MR. SPEAKER. Your Committee on Mines and Mining Interests respectfully report that on Saturday, January 24, 1885, in accordance with order of the House, they visited the Mining Bureau and Museum, and examined the same, and are entitled to mileage, for committee and clerk, for one hundred and sixty-eight miles distance to San Francisco and return.

YULE, Chairman.

Referred to Committee on Mileage.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 164—Entitled "An Act to amend section one thousand six hundred and sixty-four of the Political Code, relating to public schools"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

JORDAN, Chairman.

ON VITICULTURE AND VINICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on Viticulture and Viniculture, to whom was referred Assembly Bill No. 243—An Act to enlarge the duties of the Board of Viticultural Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PELLET, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Education, on the occasion of their visit to Los Angeles, have had the same under consideration, and recommend that the following named members of said committee be allowed mileage for nine hundred and fifty-six miles: Jordan, Long, Lovell, Hunt, Moffitt, and Havens, clerk.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of five hundred and seventy-three dollars and sixty cents in favor of W H. Jordan, Chairman, for above mileage, payable out of the Contingent Fund of the Assembly.

So ordered.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Public Buildings and Grounds on the occasion of their visit to the Napa Insane Asylum, have had the same under consideration, and recommend that the following named members of said committee be allowed mileage for one hundred and twenty-two miles Davis, Ward of San Francisco, Watson, Kalben, May, Buhlert, Van Voorhies, Heywood, Sullivan, and Nichols, clerk.

Resolved, That the Controller be and is hereby authorized to draw his warrant for one hundred and twenty-two dollars in favor of W. J. Davis, Chairman, for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1885.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 94—Report the same, and, at request of the author, recommend that he have leave to withdraw it.

Also, Assembly Bill No. 60—Having been duly considered, we report and advise that it do not pass.

Also, Assembly Bills Nos 76, 90, 91, 92, 93, 95, 96, 97, 98, 99, 100, 101, 102 and 103—having had the same under consideration, we respectfully report and recommend that they do pass.

MAY, Chairman.

FURTHER TIME GRANTED COMMITTEE.

The Committee on Constitutional Amendments was granted further time to report.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Carter of Contra Costa: Assembly Bill No. 307—An Act to amend section twenty-five, subdivision four, of the Political Code, relating to "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Referred to Committee on Agriculture.

By Mr. Davis: Assembly Bill No. 308—An Act to authorize the Board of Fish Commissioners of this State to construct a steam launch, to aid in carrying out the purposes of said Board, and providing for the payment of claims incurred in such construction.

Referred to Committee on Fish and Game.

Also, Assembly Bill No 309—An Act appropriating money to pay the claim of William Gutenberger, for mechanics' tools and property destroyed at the Branch State Prison at Folsom.

By Mr. Daley: Assembly Bill No. 310—An Act compelling pawnbrokers to furnish a description of personal property upon which money has been loaned.

Referred to Committee on Crimes and Penalties.

By Mr. Franklin: Assembly Bill No. 311—An Act to authorize the Chief of Police of any city, or city and county, to appoint an

interpreter of the Italian language and dialects, in criminal proceedings, in said cities and cities and counties.

Referred to Committee on Crimes and Penalties.

By Mr. McJunkin: Assembly Bill No. 312—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure, relative to the compensation of Court Reporters.

Referred to Committee on Judiciary.

On motion of Mr. May, the House decided to go into the election of a United States Senator.

ELECTION OF UNITED STATES SENATOR.

The Assembly, at eleven o'clock and twenty minutes, proceeded to the election of one United States Senator to succeed the Hon. James T. Farley, in accordance with the following Act of Congress:

Title two, chapter one, Revised Statutes United States—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled:

SECTION 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for, who receives a majority of the whole number of votes in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof; or if either House fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock meridian, of the day following that on which proceedings are required to take place, as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all votes in each House, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes of each House, or if either House has failed to take proceedings as required by this section, the Joint Assembly shall then proceed to choose by a viva voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the Joint Assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the Joint Assembly shall meet at twelve o'clock meridian, of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, as prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever during the session of the Legislature of any State a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized, and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States.

NOMINATIONS FOR UNITED STATES SENATOR.

Mr. May nominated Hon. Leland Stanford.
Mr. Munday nominated Hon. George Hearst.
The roll was called, with the following result:

For Stanford—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Daley, Davis, Deveny, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McMurray, Mears, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

For Hearst—Messrs. Ashe, Barnett, Beard, Black, Britt, Clark, Coleman, Corcoran, DeWitt,

Dooling, Goucher, Gregory, Henley, Henry, Johnson, McDonald, Moffitt, Morris, Munday, and Watson of El Dorado.

Whole number of votes cast	78
Necessary to a choice	40
Hon. Leland Stanford received	58
Hon. George Hearst received	20

The Speaker announced the vote, and declared that the Hon. Leland Stanford, having received a majority of the votes of the whole House, is the choice of the Assembly of the State of California for United States Senator for the term commencing the fourth day of March, 1885.

RESOLUTIONS.

By Mr. McJunkin:

Resolved, That the Clerk forthwith inform the Senate of the vote for United States Senator in this House, and that the Senate be requested to meet in the Assembly Chamber to-morrow, January 28, 1885, in Joint Assembly, for the purpose of electing, or declaring the election of, a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866.

So ordered.

By Mr. Gregory:

Resolved, That we approve the course of the Hon. James T. Farley as Senator in Congress.

Adopted.

MOTION TO RECONSIDER.

Mr. McLean moved that the House reconsider its action in referring Assembly Bill No. 19 to the Committee on County and County Boundaries.

The roll call was demanded by Messrs. Ellison, Munday, and McGlashan, and the motion was carried by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Beard, Carter of Solano, Coleman, Cook, Corcoran, Culver, Daley, Davis, DeWitt, Dooling, Douglas, Edwards, Franklin, French, Goucher, Gregory, Heath, Henley, Heywood, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Porter, Pyle, Reeves, Sullivan, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Wood, Woodward, and Yule—52.

NOES—Messrs. Ashe, Barnett, Black, Britt, Carter of Contra Costa, Clark, Colby, Ellison, Firebaugh, Hazard, Henry, Hollister, Johnson, Loud, Munday, Pellet, Russ, Swayne, Ward of Butte, Weaver, Whitcomb, and Mr. Speaker—22.

The question being upon the motion of Mr. Barnett to refer Assembly Bill No. 19 to the Committee on County and County Boundaries, Mr. McLean moved to amend by striking out "Committee on County and County Boundaries" and inserting "County and Township Governments," and that the committee report the bill back within six days.

Amendment adopted.

The motion, as amended, was adopted.

RECESS.

At twelve o'clock and thirty minutes, the Speaker declared the usual recess until two o'clock.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 26, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 23—An Act to provide for the exhibition of the State minerals at the World's Fair in New Orleans, and to appropriate money therefor.

EDWIN F. SMITH, Secretary.

Bill referred to Committee on Agriculture, Mining, and Mechanic Arts College.

SENATE CHAMBER, SACRAMENTO, January 23, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Senate Concurrent Resolution No. 11—Relative to the erection of a signal service station on Mount Tamalpais, in California.

EDWIN F. SMITH, Secretary.

Resolution referred to Committee on Federal Relations.

THIRD READING OF BILLS.

Assembly Bill No. 20—An Act to subject certain reclamation districts in the State to the provisions of the Political Code.

Passed on the file.

Assembly Bill No. 64—An Act to allow municipal corporations to establish a system of sewerage.

Substitute read and adopted, ordered engrossed, printed, and to be read third time.

SECOND READING OF BILLS.

Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit or otherwise.

Passed on the file.

Assembly Bill No. 52—An Act entitled "An Act to provide and regulate the construction of all character of wire fences along and contiguous to public and private highways in the State of California."

Withdrawn by consent of the House.

Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the boundaries of Lake County.

Passed on the file.

Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time.

The Committee on Municipal Corporations offered to amend as follows: In line ten strike out the words "City Council," and insert "Board of Education."

Lost.

Mr. Coleman moved to amend, by striking out in lines eight and nine the words "eighteen hundred dollars," and insert "twelve hundred."

Lost.

Ordered engrossed, and to be read third time.

Assembly Bill No. 70—An Act to repeal section sixty of an Act entitled "An Act to establish a Penal Code," approved March 23, 1874, relating to betting on elections.

Read second time.

The question being upon ordering the bill engrossed and read third time, the roll call was demanded by Messrs Munday, Weaver, and Douglas, and it was lost by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Black, Britt, Bublert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Culver, Davis, DeWitt, Franklin, French, Gregory, Hazard, Heath, Henry, Heywood, Hunt, Lafferty, Laughlin, McDonald, McMurray, Patterson, Pellet, Pyle, Reeves Sullivan, and Yule—33.

NOES—Messrs. Allen, Ashe, Coleman, Corcoran, Deveny, Dooling, Douglas, Edwards, Ellison, Firebaugh, Goucher, Henley, Hollister, Hussey, Jones, Jordan, Long, Loud, Lovell, May, McGlashan, McJunkin, Mears, Morris, Munday, Porter, Roseberry, Russ, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—38.

Assembly Bill No. 42—An Act to amend section four hundred and twelve of the Penal Code, relating to prize fighting.

Read second time.

MOTIONS.

Mr. Munday moved to amend, by striking out all after the second word "fight," in the second line, to the word "or" in line eight.

The roll call was demanded by Messrs. Munday, Coleman, and French, and it was lost, by the following vote:

AYES—Messrs. Almy, Ashe, Barnett, Black, Colby, Coleman, Corcoran, Daley, Deveny, Douglas, Ellison, Franklin, French, Goucher, Henley, Hunt, Hussey, Johnson, Jones, Kalbeu, Lafferty, Lovell, McDonald, McJunkin, McMurray, Moffitt, Munday, Patterson, Porter, Sullivan, Swayne, Whitcomb, and Wood—33.

NOES—Messrs. Allen, Banbury, Barnes, Beard, Carter of Contra Costa, Carter of Solano, Clark, Cook, Culver, Davis, DeWitt, Dooling, Firebaugh, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Jordan, Long, Loud, May, McGlashan, McLean, Mears, Morris, Pellet, Pyle, Reeves, Russ, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Woodward, Yule, and Mr. Speaker—41.

Mr. Munday moved to amend as follows: Strike out words between word "fight," on line two, second word, to "or," on line four, and strike out words between word "fight," on line five, and word "or," on line eight.

Mr. Hazard moved to amend as follows: Strike out between word "championship," on line three, to the word "or," on line four, second word, and between the word "championship," on line seven, to the word "or," on line eight, first word.

Mr. Gregory moved to refer the bill to Committee on Judiciary.

Lost on a division.

Mr. McGlashan moved to refer the bill to the Committee on Public Morals.

Mr. Douglas moved to amend, by referring the bill to Committee on Crimes and Penalties.

Amendment lost on a division.

The question then recurring on the motion to refer the bill to the Committee on Public Morals, it was so ordered.

Assembly Bill No. 63—An Act to provide for the transfer of certain lands from the State to municipal corporations.

Read second time.

The Committee on Swamp and Overflowed Lands offered the following amendment: Amend section one, by inserting the following words at the end thereof:

Provided, That if such land has been reclaimed, or an attempt is being made in good faith at the time of the passage of this Act to reclaim such land, then the parties shall be preferred purchasers if said land is sold, and if not sold by the municipal authorities, then said city and county, city or town, shall compensate the persons above mentioned for the moneys actually expended. In estimating the compensation so to be paid, the cost per acre of reclaiming any tract of land of which the lands affected by this Act are a portion, shall be ascertained, and payment made in proportion.

Amendment adopted.

Mr. Corcoran moved to amend section one, line four, by striking out the word "for" and insert the word "to."

So ordered.

Mr. Ellison moved to amend, by inserting in section one, line four, after the word "incorporated," the words "upon the payment of one dollar per acre they shall transfer."

Ordered engrossed, and to be read third time.

Assembly Bill No. 22—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds, and to pay certain claims out of the General Fund.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 47—An Act amending section one thousand one hundred and seventy-three of the Code of Civil Procedure, relating to amendment of pleading and to procedure in forcible entry and unlawful detainer actions.

Read second time.

Mr. Ellison moved to amend, by striking out section two.

So ordered.

Ordered engrossed, and to be read third time.

Assembly Bill No. 49—An Act to amend section one thousand one hundred and sixty-four of the Code of Civil Procedure, relating to parties defendant and proceedings in summary proceedings for obtaining possession of real property in certain actions.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 108—An Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans.

Read second time.

The Committee on Agriculture, Mining, and Mechanic Arts College, offered to amend as follows:

Section 1. Strike out "five thousand dollars" and insert "ten thousand dollars."

Amendment withdrawn by the committee, by consent of the House.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Jordan, the House went into Committee of the Whole for the purpose of considering Assembly Bill No. 108—An

Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans.

Speaker Parks in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No. 108—An Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans, and now report it back, and recommend its passage.

Report received.

Bill read second time, ordered engrossed, and to be read third time.

LEAVE OF ABSENCE.

Mr. Almy was granted a leave of absence for three days.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 27, 1885.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted the following resolutions:

Resolved, That the Secretary of the Senate be instructed to inform the Assembly that the Senate, on this day, elected Hon. Leland Stanford United States Senator, to succeed Hon. James T. Farley in the Senate of the United States, from California, by the following vote: Senators Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright. Total, 20.

Hon. George Hearst received the following vote Senators Baldwin, Cox, Creighton, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Knight, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor. Total, 16.

Hon. Niles Searls received the following vote. Senator Cross. Total, 1.

Hon James T. Farley received the following vote. Senators Dougherty, Kelly, and Kellogg. Total, 3.

Also, *Resolved*, That the Secretary of the Senate report forthwith to the Assembly the action taken by the Senate concerning the election of a United States Senator.

And further instructed to inform your honorable body that the Senate will meet the Assembly in Joint Convention, Wednesday, January 28, 1885, at 12 o'clock M., to canvass the vote for United States Senator of California.

EDWIN F. SMITH, Secretary.

ADJOURNMENT.

At three o'clock and forty-five minutes, on motion of Mr. Henley, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 28, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

LEAVE OF ABSENCE.

Messrs. Gregory and Black were granted leave of absence for one day.

Pending the reading of the Journal, Mr. Carter of Contra Costa moved that the further reading be dispensed with.

So ordered.

Journal approved.

Mr. Weaver moved that the message from the Senate, relative to the nomination for United States Senator, be made a part of the Journal of Tuesday, January 27, 1885, the House having failed to take action on it yesterday.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Substitute for Assembly Bill No. 12—Entitled "An Act appropriating eighty thousand dollars for the purpose of the permanent establishment and management of the Industrial Home of the Mechanical Trades for the Adult Blind of the State of California."

Also, Assembly Bill No. 150—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four of the Political Code, relating to the National Guard of California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of California.

Also, Assembly Bill No. 64—An Act to allow municipal corporations to establish a system of sewerage

Also, Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also, Assembly Bill No. 63—An Act to provide for the transfer from the State to municipal corporations.

Also, Assembly Bill No. 22—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds and pay certain claims out of the general fund.

Also, Assembly Bill No. 47—An Act amending section one thousand one hundred and seventy-three of the Code of Civil Procednre, relating to amendment of pleading and to procedure in forcibly entry and unlawful detainer actions.

Also, Assembly Bill No. 49—An Act to amend section one thousand one hundred and sixty-four of the Code of Civil Procedure, relating to parties defendant and proceedings in summary proceedings for obtaining possession of real property in certain actions.

Also, Assembly Bill No. 108—An Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans.

DEVENY, Chairman.

Mr. May moved that messages from the Senate be taken up.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 27, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 17—An Act to amend sections eight, nine, ten, eleven, and twelve of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 17, 1883.

And has also adopted Senate Concurrent Resolution No. 12—Relative to the proposal, submission, and ratification of certain amendments to the Constitution.

Also, Senate Concurrent Resolution No. 13—Relative to the election of Trustees of the State Library.

EDWIN F. SMITH, Secretary of Senate.

Mr. May moved that Senate Concurrent Resolution No. 13 be amended to read, "on Thursday, January 29, 1885, at twelve o'clock M.," instead of "Wednesday, January 28, 1885."

So ordered.

RECESS.

At eleven o'clock and twenty-five minutes A. M., on motion of Mr. Jordan, the House took a recess until eleven o'clock and fifty-five minutes A. M.

REASSEMBLED.

The House reassembled.

Speaker Parks in the chair.

Quorum present.

IN JOINT ASSEMBLY.

WEDNESDAY, January 28, 1885.

The hour of twelve o'clock, meridian, having arrived, the Assistant Sergeant-at-Arms announced that the members of the Senate were at the bar of the House.

The Senate and Assembly then went into joint session for the purpose of electing a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866.

Lieutenant-Governor John Daggett, President of the Senate, and Hon. W. H. Parks, Speaker of the Assembly, presiding.

The roll of the Senate was called by the Secretary, and the following Senators answered to their names:

Messrs. Baldwin, Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Dougherty, Drum, Filcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kelly, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Perry, Reddy, Routier, Saxe, Spencer of Napa, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright

The roll of the Assembly was called by the Chief Clerk, and the following members of the Assembly answered to their names:

Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Fitzgerald, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

The President of the Senate directed the Secretary of the Senate to read the Act of Congress requiring the Joint Assembly to be held this day. It was read as follows:

Title two, chapter one, Revised Statutes United States—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled

SECTION 14. The Legislature of each State which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress

SEC. 15. Such election shall be conducted in the following manner: Each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for, who receives a majority of the whole number of votes in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof; or if either House fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock, meridian, of the day following that on which proceedings are required to take place, as aforesaid, the members of the two Houses shall convene in Joint Assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all votes in each House, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes of each House, or if either House has failed to take proceedings as required by this section, the Joint Assembly shall then proceed to choose by a viva voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the Joint Assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the Joint Assembly shall meet at twelve o'clock, meridian, of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, as prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized, and has notice of such vacancy

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States.

The Secretary of the Senate then read from the Journal of the Senate so much of the proceedings of yesterday, which was the second Tuesday after organization of the twenty-sixth session, as relates to the election of a United States Senator to succeed the Hon. James T. Farley, whereby it appeared that forty Senators were present, and voted, each for his choice, and that the Hon. Leland Stanford had received twenty votes, George Hearst had received sixteen votes, Niles Searls had received one vote, and that James T. Farley had received three votes.

The Chief Clerk of the Assembly then read as much of the Journal of the Assembly of yesterday as relates to the proceedings of that body in reference to the election of a United States Senator, held in accordance with the Act of Congress above recited, whereby it appeared that seventy-eight members of the House were present, and voted, each for his choice, Hon. Leland Stanford receiving fifty-eight votes, and George Hearst receiving twenty votes.

The President of the Senate then announced that, as there had been no choice for United States Senator in both Houses yesterday, that nominations would be in order for United States Senator for the State of California for the term of six years, beginning the fourth day of March, A. D. 1885.

NOMINATIONS FOR UNITED STATES SENATOR.

Mr. Parks placed in nomination the Hon. Leland Stanford.

Mr. Spencer of Napa placed in nomination George Hearst.

The Secretary of the Senate called the roll of the Senate, and each Senator present pronounced the name of the person for whom he voted, as follows:

For Hearst—Messrs. Baldwin, Cox, Creighton, Del Valle, Dunn, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Langford, Lynch, Mahler, Reddy, Spencer of Napa, Spencer of Stanislaus, and Taylor.

For Stanford—Messrs. Beauvais, Boone, Chandler, Days, DeLong, Hurlburt, Johnson of San Bernardino, Lowe, McClure, Palmieri, Parker, Parkinson, Perry, Routier, Saxe, Steele, Vrooman, Wallis, Whitney, and Wright.

For Searls—Mr. Cross.

For Farley—Messrs. Dougherty and Kelly.

The Chief Clerk of the Assembly called the roll of the House, and each member present announced the name of his choice for Senator, as follows:

For Stanford—Messrs. Allen, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalbeu, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker

For Hearst—Messrs Ashe, Barnett, Beard, Black, Britt, Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Henley, Henry, Johnson, McDonald, Moffitt, Morris, Munday, and Watson of El Dorado.

The President of the Senate announced the result of the ballot, as follows:

Whole number of votes cast	119
Necessary to a choice	60
Leland Stanford received	79
George Hearst received	37
James T. Farley received	2
Niles Searls received	1

Hon. Leland Stanford, having received a majority of all the votes cast by the members of both Houses of the Legislature present and voting in Joint Assembly, was, by the President of the Senate, duly declared elected to represent the State of California in the Senate of the United States for the term of six years, beginning on the fourth day of March, A. D. 1885.

The minutes of the Joint Assembly were then read and approved.

JOHN DAGGETT,
President of the Senate.
W. H. PARKS,
Speaker of the Assembly.

The members of the Senate then retired.

IN ASSEMBLY.

Speaker Parks in the chair.

RECESS.

At one o'clock and fifteen minutes, on motion of Mr. Munday, the House took a recess for one half hour.

REASSEMBLED.

The House reassembled at one o'clock and forty-five minutes P. M.
Speaker Parks in the chair.
Quorum present.

RECESS.

At two o'clock the Speaker declared a recess for half an hour, for the purpose of an informal reception to United States Senator elect, Hon. Leland Stanford.

REASSEMBLED.

The House reassembled at two o'clock and thirty minutes P. M.
Speaker Parks in the chair.
Quorum present.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 29, 1885.

The House met pursuant to adjournment, Speaker Parks in the chair.

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

Messrs. Allen, Ashe, Banbury, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

The Chaplain was granted one day's leave of absence.

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

So ordered.

Journal approved.

PETITIONS.

By Mr. Laughlin: From the citizens of the City of Monterey, asking the passage of a bill to disincorporate that city.

Referred to Committee on Municipal Corporations.

By Mr. French: From the California Silk Culture Development Company, regarding the culture of silk.

Referred to Committee on Silk Culture.

By Mr. Corcoran: From the City Council of Stockton, asking the passage of Assembly Bills Nos. 61, 63, and 64.

Ordered filed with the bills.

REPORTS OF STANDING COMMITTEES.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1885.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 190—An Act to amend section two thousand six hundred and forty-two and repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code, approved March 12, 1872, relating to the election of Road Overseers"—have had the same under consideration, and respectfully report the same back, and recommend that it pass as amended.

Also, Assembly Bill No. 39—An Act to amend "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Also, Assembly Bill No. 122—An Act to amend subdivision twenty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Also, Assembly Bill No 149—An Act to put into effect certain provisions of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to compensation of officers of counties of the thirteenth class.

Also, Assembly Bill No. 176—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relative to compensation of county officers.

Also, Assembly Bill No. 180—An Act to amend the thirteenth and fourteenth subdivisions of subdivision three, and the fourteenth subdivision of subdivision ten, of section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Also, Assembly Bill No. 194—An Act to amend subdivision twenty-seven of section twenty-five of an Act of the Legislature, approved March 14, 1883, entitled "An Act to establish a uniform system of county and township governments.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also, Assembly Bill No. 69—An Act entitled "An Act to provide for a poor fund, and regulate its disbursement"—have had the same under consideration, and respectfully report the same back, and recommend that it pass as amended.

EDWARDS, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1885.

Also, Assembly Bill No. 162—An Act fixing per diem fees for jurors serving on Coroners' juries of inquest, and on the trial of criminal cases in Justices' Courts, and providing the method of paying the same--have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

EDWARDS, Chairman.

So ordered.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1885.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendments Nos. 2 and 6—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

HEATH, Chairman.

ON VITICULTURE AND VINICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1885.

MR. SPEAKER: Your Committee on Viticulture and Viniculture, to whom was referred Assem-

bly Concurrent Resolution No. 6—Relative to the viticultural interests—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Concurrent Resolution No. 4—Relating to tariff on raisins, and recommend that it do pass.

PELLET, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1885.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No 106—An Act to establish a State detective force, for the better enforcement of the laws—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

FRENCH, Chairman.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1885.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 78—Entitled "An Act supplementary to an Act entitled 'An Act to provide for the establishment and maintenance of a mining bureau,'" approved April 16, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

YULE, Chairman.

ON AGRICULTURE, MINING, AND MECHANIC ARTS COLLEGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1885.

MR. SPEAKER: Your Committee on Agriculture, Mining, and Mechanic Arts College, to whom was referred Assembly petition relative to exhibits at the World's Fair at New Orleans—have had the same under consideration, and respectfully report the same back, and recommend that it accompany the McJunkin bill, relative to the same matter.

VAN VOORHIES, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1885.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bills Nos. 43 and 45—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

MAY, Chairman.

ON ATTACHÉS AND EMPLOYÉS.

SENATE CHAMBER, SACRAMENTO, January 29, 1885.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions—have had the same under consideration, and report as follows:

Resolution authorizing the appointment of Mrs. Ida Campbell as Assistant Copying Clerk, do not pass.

Lost.

Resolution authorizing the appointment of Charles Welty as Porter for Committee on Irrigation, do not pass.

Lost.

Resolution authorizing the appointment of two Tally Clerks for Election Committee in the contest of Tyler vs. Morris; do not pass.

Lost.

Resolution authorizing the appointment of S. F. Taylor as Copying Clerk—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

So ordered.

Resolution authorizing the appointment of a Sergeant-at-Arms for the Committee on State Prisons, do not pass.

Lost.

Resolutions authorizing the appointment of A. Goodfriend and A. L. Pratt to the position of Assistant Journal Clerk. Your committee recommend A. Goodfriend for the position.

Mr. Carter of Contra Costa moved to amend, by substituting the name of A. L. Pratt for that of A Goodfriend.

The roll call was demanded by Messrs. Carter of Contra Costa, Reeves, and Heath, and the amendment was adopted by the following vote:

AYES—Messrs. Allen, Beard, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Deveny, DeWitt, Douglas, Edwards, Ellison, Franklin, French, Hazard, Heath, Henley, Henry, Hollister, Jones, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Patterson, Porter, Reeves, Russ, Sullivan, Swayne, Torrey, Walrath, Ward of Butte, Weaver, Whitcomb, Wood, Yule, and Mr. Speaker—48.

NOES—Messrs. Ashe, Banbury, Barnett, Black, Daley, Davis, Dooling, Fitzgerald, Goucher, Heywood, Hunt, Hussey, Johnson, Kalben, Lafferty, McLean, McMurray, Moffitt, Munday, Pellet, Roseberry, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, and Woodward—26.

The question then being upon the adoption of the resolution, as amended, the roll call was demanded by Messrs. Moffitt, Hussey, and Munday, and it was so ordered by the following vote:

AYES—Messrs. Banbury, Barnett, Beard, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, Franklin, French, Heath, Henley, Henry, Hollister, Hunt, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Patterson, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Ward of Butte, Weaver, Whitcomb, Yule, and Mr. Speaker—52.

NOES—Messrs. Allen, Ashe, Daley, Dooling, Fitzgerald, Goucher, Hazard, Heywood, Hussey, Jones, Jordan, Kalben, McMurray, Moffitt, Munday, Pellet, Van Voorhies, Watson of El Dorado, Ward of San Francisco, and Woodward—20.

Resolution authorizing that Frank Cafferey be allowed six days' pay for services as Porter previous to the organization of the House: recommend that it do pass.

HUSSEY, Chairman.

So ordered.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1885.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 163—An Act to eradicate glanders and farcy, a disease among horses and other animals, and empower the several County Boards of Supervisors of this State to create the office of County Veterinary Surgeon, and to provide for his compensation and define his powers and duties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

Also, Assembly Bill No. 174—An Act to prevent horses, mules, or asses from being kept, sold, or traded, or permitted to run at large or hitched in public places, that are diseased with glanders, nasal gleet, or button farcy, and to provide for the killing of such diseased animals in certain cases—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CARTER, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 86—"An Act to encourage apprentices"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 5—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code of the State of California, relating to public schools—have had the same under consideration, and respectfully report the same back, without recommendation.

Also, Assembly Bill No. 89—An Act to establish the "California Home for the care and training of feeble-minded children"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

JORDAN, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 177—An Act to provide for the publication of legal notices.

Also, Assembly Bill No. 152—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution, by adding a new subdivision thereto, to be known as subdivision fourteen.

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

Also, Assembly Bill No. 116—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of lands sold at tax sale.

Also, Assembly Bill No 56—An Act to amend section sixty-eight, and repealing sections seventy-five and seventy-six of an Act to establish a Civil Code, approved March 21, 1872, relating to marriage.

Also, Assembly Bill No. 142—An Act to amend section one thousand four hundred and one of the Civil Code, relating to estates by succession

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

ELLISON, Chairman.

MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1885.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 56—An Act to amend section sixty-eight, and repealing sections seventy-five and seventy-six of the Civil Code—and having decided, by a majority of six to three, to report the same back, with recommendation that it do not pass, the subscribers, believing that the ends sought to be accomplished by the proposed amendment to the Civil Code are worthy of the serious consideration of this honorable body, and that the subject of the solemnization of marriage stands in want of much needed legislation, we herewith present a minority report, suggesting an amendment to the bill, as it was originally introduced, in the earnest and confident hope that all the honorable gentlemen with whom we have the honor of sitting in this chamber will finally agree with us that some such legislation as is designed to be accomplished by Assembly Bill No. 56, will be inaugurated and carried out by this Legislature. Marital relations are the foundation of society and government. There should be in this State a uniform manner of solemnizing marriage.

We respectfully ask serious consideration of this matter by this honorable body, and urge that the majority report be rejected, and the bill, as amended, passed.

Amendment by Mr Munday.

Section seventy-six of said Act is hereby amended so as to read: If no record of the solemnization of marriage, contracted prior to the date at which this Act shall take effect, be known to exist, the parties may join in a written declaration of such marriage, substantially showing:

1 The names, ages, and residences of the parties.

2. The fact of marriage

3. That no record of such marriage is known to exist. Such declaration must be subscribed by the parties, and attested by at least three witnesses.

M. E. C. MUNDAY,
HUGH K. McJUNKIN,
C. T. JONES.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1885.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 7—in regard to a Federal Post Office building in San Francisco—have carefully considered the same, and report it back to the House, with the recommendation that it do pass.

Also:

Resolved by the Senate, the Assembly concurring, That the Senators and Representatives of the State of California in the Congress of the United States be and they are hereby requested to use all honorable means to procure an appropriation of five thousand dollars for the purpose of establishing a signal service station on the summit of Tamalpais Mountain, near the Bay of San Francisco, in this State.

Resolved, That the Executive be requested to telegraph a copy of the above resolution to each of our Representatives in Congress.

Have considered the same, and report the same back to the House, and recommend that they do pass.

Also:

Resolved by the Assembly, the Senate concurring, That we request our representatives in Congress to do all in their power to secure the passage of an Act reducing the internal revenue tax on fruit and grape brandies, and extending the time during which such brandies are allowed to remain in bond, without the payment of the revenue tax, from three to five years

Resolved, That the Governor be requested to transmit a copy of these resolutions to our representatives in Congress.

Have considered the same, and now report them to the House, with the recommendation that they do pass.

Also:

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be instructed and our Representatives requested to urge the passage of an Act allowing homestead settlers one section (six hundred and forty acres) of land, when the same does not contain to exceed eighty acres of arable land on the section applied for.

Resolved, further, That the Governor of the State be requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

Have considered the same, and report the same back to the House, with the recommendation that they do pass.

RUSS, Chairman.

ON YOSEMITE VALLEY AND MARIPOSA GROVE OF BIG TREES AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1885.

MR. SPEAKER: Your Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry, to whom was referred Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also, Assembly Concurrent Resolution No. 15—Relative to the preservation of the Lake Bigler forests on the California shore thereof, and also Lake Bigler—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LONG, Chairman.

ON JUDICIARY—(MINORITY).

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1885

MR. SPEAKER: The undersigned minority of your Judiciary Committee ask leave to submit a report upon Assembly Bill No. 142, referred to said committee, and relating to estates by succession, and making amendment to section one thousand four hundred and one of the Civil Code, in effect that when a wife dies, leaving a child or children, or descendant of the child or children, the issue of the marriage, one half of the community property shall go to such children and the other half to the surviving husband.

Your Judiciary Committee did not differ on any constitutional question, but were agreed that no constitutional reason exists why the law should not be so amended. But your committee were divided on questions of propriety alone.

The minority of your committee believe and urge that the law ought to be amended as suggested in said bill. That the faithful wife who has spent her life and energy in aiding to acquire the property of the community, and who has borne children to her husband, should, on her death-bed, have the consolation of knowing that her just interest in the community property is preserved by the law for her descendants, and that no successor or stepmother can deprive them of their just inheritance.

That in her lifetime she may truthfully write to her sisters and acquaintances in other States or lands that under the laws of California a wife is a partner to the joys, as well as the sorrows, of her husband.

Wherefore we respectfully recommend that said bill ought to pass, and that this report be adopted by this honorable Assembly, instead of the majority report of said committee.

H. C. FIREBAUGH,
C. F. McGLASHAN,
Minority of Committee.

ON CONSTITUTIONAL AMENDMENTS—(MINORITY).

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1884.

MR. SPEAKER: The undersigned member of your Committee on Constitutional Amendments, begs leave to submit a minority report on Assembly Constitutional Amendment No. 2, recommending that it do pass. Respectfully,

D. M. PYLE.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for the organization, incor-

poration, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No 144—An Act to confer certain powers upon Boards of Trustees of public libraries—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same

Also, Assembly Bill No. 222—An Act to amend an Act, approved January 14, 1868, entitled "An Act to amend an Act entitled an Act to provide for the formation of Chambers of Commerce, Boards of Trade, Mechanics' Institutes, and other kindred protective associations," approved March 31, 1866—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LOUD, Chairman.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1885.

MR. SPEAKER Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 87—An Act to amend section two thousand six hundred and forty-three of the Political Code, relating to roads and highways—have had the same under consideration, and begs leave to recommend the adoption of Assembly Bill No 195, as amended, as a substitute for Assembly Bill No. 87.

Also, Assembly Bill No. 209—Entitled "An Act to amend an Act entitled an Act to repeal chapter two, of title six, of part three, of an Act of the Legislature of the State of California, entitled an Act to establish a Political Code, approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six of part three, of said Code, and substitute the same in place of said repealed chapter two in said Code, relating to roads and highways," approved February 28, 1883, and recommend that it do not pass.

LAUGHLIN, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1885

MR. SPEAKER. Your Committee on Corporations, to whom was referred Assembly Bill No 65—An Act to amend section four hundred and eighty-five of the Civil Code, relating to the fencing of railroads—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

JONES, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1885.

MR. SPEAKER Your Committee on Military Affairs, in visiting the post at Los Angeles, in the discharge of their duties, are entitled to mileage for nine hundred and fifty-six miles, to the following members: J. Banbury, C. D. Douglas, G. W. Woods, Lucien Heath, and F. Harkness, Clerk.

BANBURY, Chairman

Referred to Committee on Mileage.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1885.

MR. SPEAKER Your Committee on Mileage, to whom was referred the report of the Committee on Mines and Mining Interests, have had the same under consideration, and recommend that the following members be allowed mileage for one hundred and sixty-eight miles: Yule, Torrey, Colby, McGlashan, Walrath, Johnson, Gregory, and Miss Atkinson, Clerk.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of one hundred and thirty-four dollars and forty cents in favor of John Yule for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman

So ordered.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1885.

MR SPEAKER Your Committee on Elections, to whom was referred the contested election case of W. B Tyler versus T. C. Morris, with instructions to count the ballots and report the number of votes cast for each of the contesting parties, respectfully report that, in pursuance of the directions of this Assembly, they have opened and counted the ballots cast at the general election held in the Fifty-second Assembly District on November 4, 1884, and found the votes for Assemblyman from that district to be as follows.

In Alameda precinct No. 1—For W B. Tyler, 171; for T. C Morris, 178
In Alameda precinct No. 2—For W. B. Tyler, 153; for T. C. Morris, 177
In Alameda precinct No. 3—For W. B. Tyler, 202, for T. C. Morris, 150
In Mount Eden precinct—For W. B. Tyler, 32, for T. C. Morris, 46.

In San Lorenzo precinct—For W. B. Tyler, 74; T. C. Morris, 87.
In San Leandro precinct—For W. B. Tyler, 104, for T. C. Morris, 155.
In Brooklyn precinct—For W. B. Tyler, 175: for T. C Morris, 142.
Total for the district—For W. B. Tyler, 911, for T. C. Morris, 935; plurality for T. C. Morris, 24.

Whereupon your committee respectfully recommend that T. C. Morris be declared entitled to his seat as Assemblyman from the Fifty-second Assembly District.

McMURRAY, Jr, Chairman.

FURTHER TIME GRANTED TO COMMITTEES.

The Committee on Labor and Capital was granted further time to report.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 28, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in the amendment to Senate Concurrent Resolution No. 13, as amended in the Assembly.

EDWIN F. SMITH, Secretary.
Per SAXE, Assistant Secretary.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1885.

MR. SPEAKER Pursuant to instructions embraced in the following resolution by Mr. Munday:

Resolved, That the Clerk of the Assembly is hereby instructed to report to this House, on Wednesday next, the names and daily compensation of all the employés of this Assembly and its committees.

I have the honor to respectfully report the following:

Officers, Employes, and Clerks of the Assembly.

NAME.	Position.	Per Diem
W. H. Parks	Speaker	$2 00
Frank D. Ryan	Chief Clerk	8 00
Jerome Porter	Sergeant-at-Arms	8 00
C. S. Long	Assistant Clerk	8 00
Aaron Smith	Assistant Clerk	8 00
Thomas E. Atkinson	Minute Clerk	8 00
Frank J. Brandon	Journal Clerk	8 00
Jacob Shaen	Engrossing Clerk	8 00
A. F. Chapman	Assistant Sergeant-at-Arms	6 00
Mrs. L. C. Stratton	Postmistress	3 00
Martin Morelli	Porter	4 00
George Edwards	Porter	4 00
James McDonald	Porter	4 00
Richard Charles	Porter	4 00
Sherman McDowell	Page	3 00
Wilkie Edwards	Page	3 00
Geller Amoraux	Page	3 00
Willie W. Finnie	Page	3 00
F. G. Huskey	Clerk to Sergeant-at-Arms	8 00
A. Norris	Assistant Clerk to Sergeant-at-Arms	8 00
Carroll M. Davis	Chaplain	6 00
F. W. Marston	Assistant Journal Clerk	8 00
R. D. Cannon	Assistant Minute Clerk	8 00
Ed. J. Smith	Third Assistant Clerk	8 00
Charles Wood	Assistant Postmaster	3 00
Horatio Balch	Doorkeeper	4 00
Eugene Jackson	Gatekeeper	4 00
Henry B. Everette	Gatekeeper	4 00
Charles Reed	Gatekeeper	4 00
Charles Duehane	Watchman	4 00
John S. Nash	Watchman	4 00

Name.	Position	Per Diem
John L Robinson	Watchman	$4 00
B. A. Johnson	Watchman	4 00
W A Douglas	Committee Room Porter	4 00
J. L. Evans	Committee Room Porter	4 00
Hiram Clock	Committee Room Porter	4 00
Edwin Whitcomb	Committee Room Porter	4 00
James Phillips	Porter to Gallery	4 00
John Barber	Porter to Sergeant-at-Arms	4 00
A. Grubbs	Rear Porter	4 00
Donald Dennison	Page	3 00
Charles Luce	Page	3 00
John Hawkins	Mail Carrier	3 00
W. S. Hinkle	Clerk to Committee on Elections	5 00
George O. Green	Clerk to Committee on Constitutional Amendments	5 00
H. R. Havens	Clerk to Committee on Education	5 00
Frank Storer	Clerk to Committee on Municipal Corporations	5 00
N. S. Nichols	Clerk to Committee on Public Buildings and Grounds	5 00
R C Lowell	Clerk to Committee on Labor and Capital	5 00
Marks Warschauer	Clerk to Committee on Engrossment	5 00
J. E. Goodall	Clerk to Committee on Enrollment	5 00
W. S. Barnum	Clerk to Committee on Federal Relations	5 00
J. P. Brown	Clerk to Committee on Yosemite Valley, etc.	5 00
W B. Hunt, Jr.	Clerk to Committee on Homestead and Land Monopoly	5 00
John P. Glynn	Clerk to Committee on Mileage	5 00
Ed. E. Leake	Clerk to Committee on Fish and Game	5 00
Fred. Harkness	Clerk to Committee on Military Affairs	5 00
Miss Ida Atkinson	Clerk to Committee on Mines and Mining	5 00
Madge Morris	Clerk to Committee on Public Printing	5 00
E. J. Niles	Clerk to Committee on Retrenchment	5 00
John Halloran	Clerk to Committee on Roads and Highways	5 00
W. F. Clyburn	Clerk to Committee on Rules and Regulations	5 00
Charles L Maple	Clerk to Committee on State Hospitals	5 00
M. W. Littlefield	Clerk to Committee on Chinese Emigration	5 00
H. S. Smith	Clerk to Committee on Agriculture	5 00
William Alpherson	Clerk to Committee on A., M. and M Arts College	5 00
S. A Hussey	Clerk to Committee on Attachés	5 00
T. B. Hartzell	Clerk to Committee on Claims	5 00
Charles A. Noyes	Clerk to Committee on Commerce and Navigation	5 00
Samuel Titus	Clerk to Committee on County and County Boundaries	5 00
Frank A. McGill	Clerk to Committee on County and Township Gov't's	5 00
Kate Troy	Clerk to Committee on Crimes and Penalties	5 00
H. C Barnes	Clerk to Committee on Water Rights and Drainage	5 00
C. A. Bennett	Clerk to Committee on Public Ex. and Accounts	5 00
Edward Barrett	Clerk to Committee on Public Lands	5 00
R Belaw	Clerk to Committee on Internal Improvements	5 00
A. M. Young	Clerk to Committee on Apportionment	5 00
Edw. Palmer	Clerk to Committee on Ways and Means	5 00
J. H. Mahoney	Clerk to San Francisco Delegation	5 00
J. J Sykes	Clerk to Committee on Irrigation	5 00
J. F. Wharton	Clerk to Committee on Irrigation	5 00
Nora Andrews	Clerk to Committee on Swamp and Overflowed Lands	5 00
A C. Morse	Clerk to Committee on State Prisons	5 00
Thomas L. Stoveall	Clerk to Committee on Corporations	5 00
E. C. Hart	Clerk to Committee on Judiciary	8 00
Frank Lombard	Clerk to Committee on Judiciary	8 00
S M Shortridge	Clerk to Committee on Viticulture and Vinicultue	5 00
O. W. Jones	Clerk to Committee on Ways and Means	5 00
Thomas Jones	Porter	4 00
Thomas Moran	Porter	4 00
John H. Williams	Porter	4 00
S. Bones	Page	3 00

F. D. RYAN, Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 27, 1885

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 17—An Act to amend sections eight, nine, ten, eleven, and twelve of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883.

And has also adopted Senate Concurrent Resolution No 12—Relative to the proposal, submission, and ratification of certain amendments to the Constitution.

EDWIN F. SMITH, Secretary of Senate.

Senate Bill No. 17 was referred to Committee on Agriculture.

Senate Concurrent Resolution No. 12 was referred to Committee on Constitutional Amendments.

IN JOINT CONVENTION.

THURSDAY, January 29, 1885.

At the hour of twelve o'clock noon, pursuant to joint resolution previously adopted by both Houses, and as provided for in section two thousand two hundred and ninety-two of the Political Code, and to fill vacancies which will occur by the expiration of the tenure of office of Isaac S. Belcher, E. W. Maslin, M. F. Johnson, J. J. Owen, and A. C. Freeman, both Houses assembled in Joint Convention, the President of the Senate and the Speaker of the Assembly presiding

The Secretary of the Senate called the roll of the Senate, and the following Senators responded:

Messrs. Beauvais, Boone, Chandler, Cox, Creighton, Cross, Days, DeLong, Del Valle, Drum, Fitcher, Foster, Hurlburt, Johnson of San Bernardino, Johnson of Sonoma, Kellogg, Knight, Langford, Lowe, Lynch, Mahler, McClure, Palmieri, Parker, Parkinson, Saxe, Spencer of Stanislaus, Steele, Taylor, Vrooman, Wallis, Whitney, and Wright.

The Chief Clerk of the Assembly called the roll of Assemblymen, and the following members responded:

Messrs. Allen, Ashe, Banbury, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Fitzbaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum of both Houses present.

NOMINATIONS.

The President of the Senate declared nominations in order.

Mr. McClure nominated Hon. Isaac S. Belcher, Hon. Henry Edgerton, Hon. A. E. Booth, Hon. W. H. Beatty, and Hon. A. C. Freeman.

Mr. Cross nominated Hon. Jo Hamilton, Hon. J. W. Armstrong, Hon. E. W. Maslin, Hon. M. F. Johnson, and Hon. Fred. Cox.

The roll of the Senate was called by the Secretary with the following result:

For I. S. Belcher, H. Edgerton, A. G. Booth, W. H. Beatty, and A. C. Freeman—Messrs. Beauvais, Chandler, Days, DeLong, Hurlburt, Lowe, McClure, Palmieri, Parker, Parkinson, Routier, Saxe, Steele, Wallis, Whitney, and Wright.

For Jo Hamilton, J. W. Armstrong, E. W. Maslin, M. F. Johnson, and Johnson of Sonoma—Mr. Cox.

For Jo Hamilton, J. W. Armstrong, E. W. Maslin, M. F. Johnson, and Fred. Cox—Messrs. Creighton, Cross, Del Valle, Drum, Filcher, Foster, Johnson of Sonoma, Kellogg, Knight, Langford, Lynch, Mahler, Spencer of Stanislaus, and Taylor.

The roll of the Assembly was called by the Chief Clerk, with the following result:

For I. S. Belcher, H. Edgerton, A. G. Booth, W. H. Beatty, and A. C. Freeman—Messrs. Allen, Banbury, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

For Jo Hamilton, J. W. Armstrong, E. W. Maslin, M. F Johnson, and Fred. Cox—Messrs. Ashe, Barnett, Beard, Black, Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Johnson, McDonald, Moffitt, and Watson of El Dorado.

For I S. Belcher, Jo Hamilton, J. W. Armstrong, E. W. Maslin, and Fred. Cox—Mr. Britt.

For I. S. Belcher, Jo Hamilton, J. W. Armstrong, E. W. Maslin, and M. F. Johnson—Mr. Henry.

Whole number of votes cast	106
Necessary to a choice	54
I. S. Belcher received	74
Henry Edgerton received	72
A. G. Booth received	72
W. H. Beatty received	72
A. C. Freeman received	72
Jo Hamilton received	32
J. W. Armstrong received	32
E. W. Maslin received	31
M. F. Johnsan received	31
Fred. Cox received	31
Geo. A. Johnson received	1

The President of the Senate announced that I. S. Belcher, Henry Edgerton, A. G. Booth, W. H. Beatty, and A. C. Freeman, having each received a majority of all the votes cast, were duly elected Trustees of the State Library, to serve for the term of four years from the expiration of the term of the present Trustees.

The minutes of the Joint Convention were read and approved.

The Senators then retired.

OATH OF OFFICE.

A. L. Pratt, Second Assistant Journal Clerk, came forward and took the oath of office, as follows:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office to which I have been elected to the best of my ability, so help me God.

RECESS.

At one o'clock, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

LEAVE OF ABSENCE.

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

The Committees on Education and Military Affairs were granted leave of absence until Monday.

RESOLUTIONS.

By Mr. McJunkin:

Resolved, That the sum of two thousand four hundred and thirty-six dollars and fifty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Assembly to Julius Buhlert for the expenses incurred by him in the contest for his seat from the Fortieth Assembly District, and the Controller is hereby directed and instructed to draw his warrant on the Treasurer in favor of Julius Buhlert for said sum, as follows:

To Jas. Dunn and E. Gilson, Esqs., to services rendered in the election contest of Buhlert vs Leary, as Commissioners	$1,000 00
To filing statement and notice of contest	7 50
Printing statement and notice	15 00
Postage sending statement to Secretary of State	4 00
Sheriff, serving notice	2 00
Shorthand reporter	160 00
Witness fees	178 00
Serving summons and mileage	20 00
Contingent expenses procuring witness	50 00
Flint & Stone, attorneys' fees	1,000 00
Total	$2,436 50

Referred to Committee on Elections.

By Mr. Munday:

Resolved, That the sum of one thousand eight hundred and thirty-eight dollars and eighty cents be and the same is hereby appropriated out of the Contingent Fund of the Assembly, the same being expenses incurred by Daniel J. Leary in the contested election case of Buhlert vs. Leary, as per inclosed schedule.

Resolved, That the Controller be and he is hereby authorized and instructed to draw his warrant in favor of Daniel J. Leary for said amount of one thousand eight hundred and thirty-eight dollars and eighty cents, and the Treasurer of the State is hereby instructed to pay the same.

SCHEDULE OF COSTS IN THE CONTESTED ELECTION CASE OF BUHLERT VS. LEARY.

Expenses incurred by Daniel J. Leary.

Expenses incurred for time and labor lost during the contest in San Francisco, viz.: six weeks' salary at the rate of three dollars and thirty-three and one-third cents per day, and fees for searching records of election	$250 00
Expenses incurred for witnesses and officers in watching and reporting the proceedings in the Justices' Court during the contest	150 00
Mileage for sixteen (16) witnesses to Sacramento and return (two from each precinct)	268 80
Expenses incurred for attendance during their stay at Sacramento, at the rate of two dollars and a half ($2 50) per day for thirteen (13) days, viz., from the fifth day of January to the seventeenth day of January, 1885	520 00
Expenses incurred during the contest at Sacramento, independent of witnesses' fees, less one hundred and twenty ($120) dollars, which I have drawn for per diem	150 00
Attorneys' fees	500 00
Total	$1,838 80

I hereby certify that the foregoing is a true and correct statement of the expenses incurred by me during the contest.

Signed: DANIEL J. LEARY.

Referred to Committee on Elections.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Whitcomb:

Resolved, That the Controller be authorized to draw his warrant on the Contingent Fund of the Assembly in favor of Dr. N. T. Whitcomb, Chairman of Committee on State Hospitals, for the payment of mileage to Napa Insane Asylum and return, the distance being one hundred and twenty-two miles, for members of the committee and clerk, as follows: N. T. Whitcomb, E L. DeWitt, P. Deveny, W. B May, H. T. Hazard, H. A. Pellet, F. J. Woodward, and C. L. Marple, Clerk.

Referred to Committee on Mileage.

By Mr. Pyle:

Resolved, That the State Printer be and is hereby ordered to print five hundred copies of a tabulated statement of the county officers and the salaries paid, as per the statement herewith inclosed, for the benefit of the members of the Legislature.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 85—An Act to facilitate the giving of bonds required by law.

Also, Assembly Bill No. 109—An Act to regulate the fees of offices of County Clerks.

Also, Assembly Bill No. 88—An Act to diminish the cost of judicial proceedings, and to regulate the fees of Sheriffs, and certain other officers

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

ELLISON, Chairman

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Military Affairs, on the occasion of their visit to Los Angeles—have had the same under consideration, and recommend that the following members of said committee be allowed mileage for nine hundred and fifty-six miles. Messrs. Banbury, Douglas, Woods, Heath, and Harkness, Clerk.

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of four hundred and seventy-eight dollars in favor of J. Banbury, for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1885

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 19—An Act to provide for the division of existing counties, and for the creation of new counties; to determine the location of county seat by an election; to declare the manner of providing officers, to provide funds for its support by the issuance of bonds; and to determine what portion of old county debt is chargeable to such new county—have had the same under consideration, and respectfully report the same back, and recommend that it pass, as amended.

MR. SPEAKER: Your Committee on County and Township Governments beg leave to report and recommend the adoption of the following resolution, viz:

Resolved, That Assembly Bill No. 19, this day reported with amendments, be and the same is hereby ordered printed with the amendments.

EDWARDS, Chairman.

So ordered.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1885

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 67—Entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

JORDAN, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1885.

MR. SPEAKER. Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 40—Entitled "An Act to amend an Act entitled 'An Act to repeal chapter two, title six, of part three, of an Act of the Legislature of the State of California, entitled an Act to establish a Political Code,' approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two, in said Code, relating to roads and highways," approved February 28, 1883, by adding a new section, to be numbered two thousand six hundred and forty-six—have had the same under consideration, and recommend that it do pass, as amended.

Also, Assembly Bill No 160—An Act to amend section two thousand six hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved February 28, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LAUGHLIN, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Firebaugh: Assembly Bill No. 313—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estates of deceased persons.

Referred to Committee on Judiciary.

By Mr. Watson of El Dorado: Assembly Bill No. 314—An Act to add to part two of the Civil Code, a new title, to be known as title five, containing eighteen sections, to be numbered eight hundred and seventy-eight, eight hundred and seventy-nine, eight hundred and eighty, eight hundred and eighty-one, eight hundred and eighty-two, eight hundred and eighty-three, eight hundred and eighty-four, eight hundred and eighty-five, eight hundred and eighty-six, eight hundred and eighty-seven, eight hundred and eighty-eight, eight hundred and eighty-nine, eight hundred and ninety, eight hundred and ninety-one, eight hundred and ninety-two, eight hundred and ninety-three, eight hundred and ninety-four, and eight hundred and ninety-five, relating to mining lands.

Referred to Committee on Mines and Mining Interests.

Also, Assembly Bill No. 315—An Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands," approved March 2, 1867, approved March 13, 1868.

Referred to Committee on Public Lands.

By Mr. Barnett: Assembly Bill No. 316—An Act for the relief of Warren Green.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 317—An Act entitled "An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to the salaries of Superior Judges."

Referred to Committee on Judiciary.

By Mr. Coleman: Assembly Bill No. 318—An Act to amend section two thousand six hundred and forty-four of chapter ten of an Act of the Legislature, relating to roads and highways, approved February 28, 1883.

Referred to Committee on Roads and Highways.

Also, Assembly Bill No. 319—An Act to amend section two thou-

sand six hundred and forty-two of chapter ten of an Act of the Legislature, relating to roads and highways, approved February 28, 1883.

Referred to Committee on Roads and Highways.

Also, Assembly Bill No. 320—An Act to amend section fifty-seven of an Act of the Legislature, entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to the officers of a county.

Referred to Committee on Roads and Highways.

By Mr. Jordan: Assembly Bill No. 321—An Act for the relief of Robert McKillican.

Referred to Committee on Claims.

By Mr. Munday: Assembly Bill No. 322—An Act to add a new chapter to the Civil Code of the State of California, to be known as chapter eight, of title fourteen, of part four, of division third, and new sections to said Code, to be known as sections three thousand and eighty-one and three thousand and eighty-two, relating to the duties and liabilities of persons carrying on business as pawnbroker and pledgee.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 323—An Act to amend sections three hundred and thirty-nine, three hundred and forty-one, and three hundred and forty-two of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, concerning pawnbrokers, their duties and liabilities.

Referred to Committee on Judiciary.

By Mr. Walrath: Assembly Bill No. 324—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand two hundred and sixty-eight, relating to escheats.

Referred to Committee on Judiciary.

By Mr. Van Voorhies: Assembly Bill No. 325—An Act to prohibit the sale of prepared opium, opium pipes, or any part thereof.

Referred to Committee on Public Morals.

Also, Assembly Bill No. 326—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Referred to Committee on County and Township Governments.

By Mr. Hazard: Assembly Bill No. 327—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be known as section six hundred and three, and relating to the formation of religious incorporations for holding and administering church property.

Referred to Committee on Public Morals.

By Mr. Corcoran: Assembly Bill No. 328—An Act to repeal an Act entitled "An Act to provide for a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers."

Referred to the Committee on Swamp and Overflowed Lands.

By Mr. Britt: Assembly Bill No. 329—An Act in relation to lawful fences.

Referred to Committee on Agriculture.

By Mr. Loud, by request: Assembly Bill No. 330—An Act to amend section two thousand five hundred and twenty-five of the Political Code, relating to the Board of State Harbor Commissioners, their powers and duties.

Referred to Committee on Commerce and Navigation.

Also, Assembly Bill No. 331—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding thereto a new section, to be numbered six hundred and thirty-three

Referred to Committee on Judiciary.

By Mr. Ellison: Assembly Bill No. 332—An Act to establish a Branch State Normal School.

Referred to Committee on Education.

By Mr. McJunkin: Assembly Bill No. 333—An Act to amend section nine hundred and fifty-two of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 334—An Act for the preservation and protection of human life, and to guard against accidents by and on street railways, vehicles, or cars running on and through the streets of cities, towns, and villages, by the use of safety devices and wheel guards to apply to every form of conveyance and for passenger traffic running on rails on and through the streets of cities and towns of the State of California.

Referred to Committee on Corporations

By Mr. Munday: Assembly Bill No. 335—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Notaries Public

Referred to Committee on Judiciary.

By Mr Ward of San Francisco: Assembly Bill No. 336—An Act to limit and fix the rates and price of water in all cities within the State of California having a population of one hundred thousand inhabitants or more.

Referred to Committee on Corporations.

Also, Assembly Bill No. 337—An Act granting relief to taxpayers whose lands have been sold to the State.

Referred to Committee on Public Lands.

By Mr. Hazard: Assembly Bill No. 338—An Act to amend sections three hundred and fifty-four, one thousand four hundred and eighty-seven, one thousand four hundred and eighty-eight, one thousand four hundred and eighty-nine, one thousand four hundred and ninety, one thousand four hundred and ninety-one, one thousand four hundred and ninety-two, one thousand five hundred and one, one thousand five hundred and three, one thousand five hundred and four, one thousand five hundred and five, and one thousand five hundred and seven, and to repeal section one thousand five hundred and six of the Political Code, relating to State Normal Schools, and the organization, powers, and duties of Boards of Trustees of such schools.

Referred to Committee on Education.

By Mr. McLean: Assembly Bill No. 339—An Act to provide that no compensation shall be paid to the Mayors or members of the Common Council of cities containing less than ten thousand inhabitants.

Referred to Committee on Municipal Corporations.

By Mr. Pyle: Assembly Bill No. 340—An Act to amend section six hundred and twenty-six of the Penal Code, and to add a new section thereto, to be known as section six hundred and twenty-seven, relating to the preservation of fish and game.

Referred to Committee on Fish and Game.

By Mr. Douglas: Assembly Bill No. 341—An Act to regulate the practice of the sale of medicines and poisons.

Referred to Committee on Crimes and Penalties.

Also, Assembly Bill No. 342—An Act relating to laundries within the limits of incorporated cities.

Referred to Committee on Crimes and Penalties.

By Mr. Jones: Assembly Bill No. 343—An Act to amend section six hundred and seventy-five of the Code of Civil Procedure, and to add three new sections to said Code, concerning agreements for the compensation of attorneys at law.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 344—An Act to repeal sections seven hundred and seventy-eight, seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one, and to amend section seven hundred and eighty-two, of the Political Code, relative to printing the Supreme Court reports.

Referred to Committee on Judiciary.

By Mr. Davis: Assembly Bill No. 345—An Act making an appropriation for a deficiency in the appropriation for the salary of Secretary of State Engineer for the thirty-fifth and thirty-sixth fiscal years.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 346—An Act making appropriation for a deficiency in the appropriation for the salary of Secretary, and completion of State Engineer's report, and maps on irrigation, for the thirty-fourth fiscal year.

Referred to Committee on Ways and Means.

By Mr. Ward of Butte: Assembly Bill No. 347—An Act to permit the electors of every Supervisor District in this State to vote on the question of granting of licenses to sell intoxicating liquors.

Referred to Committee on Public Morals.

CONSTITUTIONAL AMENDMENTS.

By Mr. Roseberry: Constitutional Amendment No. 8—An Act proposing to amend section one, of article thirteen, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

THIRD READING OF BILLS.

Assembly Bill No. 20—An Act to subject certain reclamation districts in the State to the provisions of the Political Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Henry, Heywood, Hunt, Hussey, Johnson, Jones, Kalben, Lafferty, Laughlin, Loud, McDonald, McGlashan, McJunkin, McLean, Mears, Morris, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—61.

NOES—None.

Title approved.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Mr. Buhlert offered the following amendment to the bill:

Article two, section two, to read as follows:

Every blind person who has been a resident of this State for one year, of suitable age, as hereinafter provided, shall be entitled to the benefits of instruction in said Home free of charge.

Bill passed on file.

Assembly Bill No. 150—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four of the Political Code, relating to the National Guard of California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Barnett, Beard, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Corcoran, Daley, Davis, DeWitt, Dooling, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Laughlin, Loud, McGlashan, McJunkin, McLean, Mears, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—56.

NOES—None.

Title approved

Assembly Bill No. 64—An Act to allow municipal corporations to establish a system of sewerage.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Henley, Henry, Heywood, Hollister, Hussey, Jones, Kalben, Laughlin, Loud, McDonald, McGlashan, McJunkin, McLean, Mears, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—60.

NOES—None.

Title approved.

Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ashe, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Henley, Henry, Heywood, Hollister, Hussey, Jones, Kalben, Lafferty, Laughlin, Loud, McDonald, McGlashan, McJunkin, McLean, Mears, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—59.

NOES—Mr. Allen—1.

Title approved.

Assembly Bill No. 63—An Act to provide for the transfer from the State to municipal corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Henley, Henry, Heywood, Hollister, Hussey, Jones, Kalben, Lafferty, Laughlin, Loud, McDonald, McGlashan, McJunkin, McLean, Mears, Morris, Munday, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr Speaker—59.

NOES—Mr. Weaver—1.

Title approved.

Assembly Bill No. 22—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds and to pay certain claims out of the General Fund.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ashe, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Corcoran, Culver, Deveny, DeWitt, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Henley, Henry, Heywood, Hollister, Hussey, Jones, Lafferty, Laughlin, McDonald, McGlashan, McJunkin, McLean, Mears, Munday, Patterson, Pellet, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, Yule, and Mr. Speaker—52.

NOES—None.

Title approved.

Assembly Bill No. 47—An Act amending section one thousand one hundred and seventy-three of the Code of Civil Procedure, relating to amendment of pleading and to procedure in forcible entry and unlawful detainer actions.

Read third time.

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

AYES—Messrs. Britt, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Deveny, Ellison, Firebaugh, French, Hazard, Henley, Heywood, Hussey, Jones, Lafferty, Laughlin, McGlashan, McJunkin, McLean, Mears, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Wood, Woodward, Yule, and Mr. Speaker—37.

NOES—Messrs. Ashe, Colby, Culver, DeWitt, Gregory, Hollister, Munday, Russ, Watson of El Dorado, and Weaver—10.

Mr. Weaver gave notice that he would move a reconsideration of the vote upon Assembly Bill No. 47.

Assembly Bill No. 49—An Act to amend section one thousand one hundred and sixty-four of the Code of Civil Procedure, relating to parties defendant and proceedings in summary proceedings for obtaining possession of real property in certain actions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Firebaugh, French, Goucher, Gregory, Hazard, Henley, Heywood, Hollister, Hussey, Jones, Lafferty, Laughlin, Loud, McDonald, McGlashan, McJunkin, McLean, Mears, Munday, Patterson, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—53.

NOES—Messrs. Ellison and Porter—2.

Title approved.

At three o'clock and thirty-five minutes, Mr. Ellison moved that the House adjourn.

Lost.

Assembly Bill No. 108—An Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Allen, Ashe, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, DeWitt, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Henley, Heywood, Hollister, Hussey, Jones, Lafferty, Laughlin, Loud, McDonald, McJunkin, McLean, Mears, Morris, Munday, Patterson, Pellet, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Yule, and Mr. Speaker—52.

NOES—Mr. McGlashan—1.

Title approved.

FIRST READING OF BILLS.

Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit or otherwise.

Read first time, and ordered to second reading.

SECOND READING OF BILL.

Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the boundaries of Lake County.

Mr. Hazard moved to refer the bill to the Committee on County and County Boundaries.

So ordered.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 30, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Henley, Henry, Heywood, Hollister, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laugh-

lin, Loud, McDonald, McGlashan, McJunkin, McLean, Mears, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

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

PETITIONS.

By Mr. Gregory: From the citizens of Pine Grove, Amador County, asking the passage of an Act to permit the electors of every Supervisor District in this State to vote on the question of granting of licenses to sell intoxicating liquors.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on State Hospitals—have had the same under consideration, and recommend that the following named members of said committee be allowed mileage for one hundred and twenty-two miles: Whitcomb, DeWitt, Deveny, May, Hazard, Pellet, Woodward, and Marple, Clerk.

Resolved, That the Controller be and is hereby authorized to draw his warrant for ninety-seven dollars and sixty cents in favor of N. T. Whitcomb for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1885.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 17—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No. 255—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No. 154—An Act to encourage the planting and cultivation of forest trees—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 41—An Act to amend section eight hundred and forty-one of the Civil Code, relating to partition fences—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 225—An Act to amend an Act entitled "An Act to prevent persons passing through inclosures and leaving them open, and to prevent hunting upon inclosed lands in the State of California," approved March 23, 1876—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

CARTER, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1885.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 156—Entitled "An Act to appropriate the sum of thirty-four thousand four hundred and nineteen dollars and forty cents, with legal interest thereon, to pay the amount found by the Sixth Judicial District Court to be due M. Miles, and his sureties, for work done under contract in build-

ing the State Prison at Folsom—have had the same under consideration, have amended the same, and respectfully report the same back, and recommend that it do pass, as amended.

SWAYNE, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 28, 1885.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted Senate Concurrent Resolution No. 2—Relative to viticultural industries.

Also, Senate Concurrent Resolution No. 5—Relative to directing the Governor to appoint a committee of five citizens to inquire into the subject of penology, applicable to the condition of prison affairs within this State.

Also, Senate Concurrent Resolution No. 6—Relative to the restriction of Chinese immigration.

EDWIN F. SMITH, Secretary of the Senate.
By F. J. SAXE, Assistant.

Senate Concurrent Resolution No. 2 was referred to Committee on Viticulture and Viniculture.

Senate Concurrent Resolution No. 5 was referred to Committee on State Prisons.

Senate Concurrent Resolution No. 6 was referred to Committee on Chinese Immigration and Emigration.

REFERENCE OF BILLS.

Assembly Bill No. 44 was referred to the Committee on County and Township Governments.

Assembly Bill No. 331 was taken from the Committee on Judiciary and referred to Committee on Municipal Corporations.

ADDITION TO COMMITTEE.

Mr. Carter of Contra Costa was appointed a member of the Committee on Silk Culture.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Watson of El Dorado: Assembly Bill No. 348—An Act to appropriate fifteen thousand dollars for the erection of a monument commemorative of the discovery of gold in California, the same to be erected after the death of Jas. W. Marshall, the discoverer of gold; the said sum to be invested in such securities as the State Board of Examiners may deem best, and the interest accruing therefrom to be paid to the said James W. Marshall during his lifetime.

Referred to Committee on Mines and Mining Interests.

By Mr. Culver: Assembly Bill No. 349—An Act to provide for the payment of the claim of William Saunders.

Referred to Committee on Claims.

By Mr. Goucher: Assembly Bill No. 350—An Act to authorize the construction, furnishing, and leasing of a hotel in Yosemite Valley, and to appropriate money therefor.

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

By Mr. Cook: Assembly Bill No. 351—An Act to amend section one of an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880, relating to viticultural Commissioners and viticultural districts.

Referred to Committee on Viticulture and Viniculture.

By Mr. Corcoran: Assembly Bill No. 352—An Act relating to revenue and taxation.

Referred to Committee on Ways and Means.

By Mr. French: Assembly Bill No. 353—An Act to authorize and empower the Board of Supervisors of the various counties, cities and counties, and cities of the State, to regulate Supervisorial election districts.

Referred to Committee on Apportionment.

By Mr. Laughlin: Assembly Bill No. 354—An Act to amend section eight hundred and sixty-nine of the Penal Code, relating to the taking and authentication of testimony on examinations in criminal cases.

Referred to Committee on Judiciary.

By Mr Sullivan: Assembly Bill No. 355—An Act to regulate fishing in the State of California.

Referred to Committee on Fish and Game.

By Mr. McLean: Assembly Bill No. 356—An Act relating to the study of physiology and hygiene in the public schools.

Referred to Committee on Education.

By Mr. Russ: Assembly Bill No. 357—An Act to create and establish a State Board of Sheep Husbandry, and to appropriate money for the expenses thereof.

Referred to Committee on Agriculture.

By Mr. Beard: Assembly Bill No. 358—An Act to amend section eight hundred and ninety-six of the Code of Civil Procedure, relating to judgments in Justices' Courts, and requiring the filing of a cost bill by party claiming costs.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 359—An Act to amend sections eight hundred and thirty-three and eight hundred and thirty-six of the Code of Civil Procedure, relating to change of venue in civil cases in Justices' Courts.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 360—An Act to amend section one hundred and seventy-one of the Code of Civil Procedure, forbidding certain officers to practice law in certain Courts.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 361—An Act to add a new section to the Code of Civil Procedure, to be known as section nine hundred and twenty-seven, to make certain provisions of this Code relating to notices and the filing and service of papers applicable to Justices' Courts.

Referred to Committee on Judiciary.

By Mr. Heath: Assembly Bill No. 362—An Act authorizing the Board of Supervisors of any county, or any subdivision of a county, having a bonded debt, to refund such debt at a less rate of interest.

Referred to Committee on County and Township Governments.

Also, Assembly Bill No. 363—An Act to amend section one thousand one hundred and eighty-one of the Civil Code, relative to Circuit Court Commissioners.

Referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 364—An Act to amend section one hundred and seventy of the Code of Civil Procedure, relative to the disqualification of Judges.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 365—An Act to amend sections one thousand four hundred and thirty-one, one thousand four hundred and thirty-two, and one thousand four hundred and sixty-eight of the Penal Code, relative to proceedings in Justices' and Police Courts, and appeals to Superior Courts

Referred to Committee on Judiciary.

By Mr. McDonald: Assembly Bill No. 366—An Act to appropriate money to Cox & Warren, to pay the balance due them under their contract for doing the plastering in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 367—An Act to appropriate money to Cox & Colby, to pay the balance due them under their contract for furnishing the brick for the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 368—An Act to appropriate money to W. F. Wilson & Co., to pay the balance due them under their contract for doing the plumbing in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 369—An Act to appropriate money to the Frear Stone Company, to pay the balance due it under its contract for furnishing statuary in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 370—An Act to appropriate money to the Frear Stone Company, to pay the balance due it under its contract for furnishing artificial stone in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 371—An Act to appropriate money to E. L. Mayberry, to pay the balance due him under his contract for the carpenter work in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 372—An Act to appropriate money to Wright & Sanders, to pay the balance due them under their contract for services as architects in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 373—An Act to appropriate money to Wright & Sanders, to pay the balance due them under their contract for services as architects in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 374—An Act to appropriate money to W. W. Montague & Co., to pay the balance due them under their contract for furnishing plumbing materials in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 375—An Act to appropriate money to George J. Mothersole, to pay the balance due him under his contract for furnishing slating in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 376—An Act to appropriate money to Baker, Smith & Co., to pay the balance due them under their contract for furnishing heating apparatus in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 377—An Act to appropriate money to the Electrical Construction and Maintenance Company, to pay the balance due them under their contract for furnishing electrical apparatus in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 378—An Act to appropriate money to Robert Ewing, to pay the balance due him under his contract for brickwork in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 379—An Act to appropriate money to Noble & Gallagher, to pay the balance due them under their contract for the painting in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

Also, Assembly Bill No. 380—An Act to appropriate money to James Hunter & Co., to pay the balance due them under their contract for doing tin work in the construction of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

By Mr. Munday: Assembly Bill No. 381—An Act to amend sections three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-three, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Referred to Committee on Ways and Means.

By Mr. Ward of San Francisco: Assembly Bill No. 382—An Act to amend an Act entitled "An Act to promote emigration from the State of California," approved March 26, 1880.

Referred to Committee on Chinese Immigration and Emigration.

Also, Assembly Bill No. 383—An Act to regulate the sale of shares of the capital stock of corporations, and to prevent gambling therein.

Referred to Committee on Corporations.

CONSTITUTIONAL AMENDMENTS.

By Mr. Gregory: Constitutional Amendment—Proposed amendment to section four, article thirteen, and section ten, article thirteen, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

RECONSIDERATION.

Mr. Firebaugh moved to reconsider the action of the House on yesterday regarding Assembly Bill No. 47.

So ordered.

The question being upon the passage of Assembly Bill No. 47, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Barnes, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Culver, Daley, Davis, Deveny, Ellison, Firebaugh, Franklin, Hazard, Henley, Henry, Heywood, Hollister, Hussey, Jones, Kalben, Lafferty, Laughlin, Loud, McGlashan, McJunkin, McLean, Mears, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Wood, Woodward, Yule, and Mr. Speaker—50.

NOES—Messrs. Ashe, Colby, Corcoran, DeWitt, Dooling, Goucher, Gregory, Johnson, McDonald, Munday, Watson of El Dorado, and Weaver—12.

LEAVE OF ABSENCE TO COMMITTEES.

The Committees on Public Buildings and Grounds, and Agriculture, Mining, and Mechanic Arts College, were granted leave of absence until Tuesday, February 3, 1885.

RESOLUTION—(OUT OF ORDER).

By Mr. French:

Resolved, That the Committee on Chinese Immigration and Emigration be and they are hereby directed to inquire into the alleged purchase by Chinese of white children in this State, and to report as soon as possible to this Assembly a draft of a bill to prevent the same, if such is ascertained to be the fact.

Referred to Committee on Chinese Immigration and Emigration.

THIRD READING OF BILLS.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Passed on the file.

FIRST READING OF BILLS.

Assembly Bill No. 262—An Act providing for the construction of a public morgue in the City and County of San Francisco.

Read first time, and ordered to second reading.

Assembly Bill No. 24—An Act to regulate and improve the civil service of the State of California.

Made the special order for Wednesday, February 4, 1885, at two o'clock P. M., on motion of Mr. Weaver.

Assembly Bill No. 110—An Act to amend section eight hundred and forty-six of the Code of Civil Procedure, relating to the issuance of alias summons in Justices' Courts.

Read first time, and ordered to second reading.

Assembly Bill No. 58—An Act to amend section one thousand eight hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to relations which disqualify persons from being witnesses in certain cases.

Read first time, and ordered to second reading.

Assembly Bill No. 32—An Act to amend "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known as section nine hundred and eighty-seven, relating to the lien created upon real estate by the filing of a notice of the pendency of an action against the owner thereof upon an official bond.

Read first time, and ordered to second reading.

Assembly Bill No. 57—An Act to amend section one thousand three hundred and twenty-two of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the competency of a wife or husband to be a witness in certain cases.

Read first time, and ordered to second reading.

Assembly Bill No. 25—An Act to amend section one hundred and thirty-seven of the Civil Code, relating to actions for maintenance without divorce.

Withdrawn by consent of the House.

Assembly Bill No. 51—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure, relating to when and how trial by jury may be waived.

Refused first reading.

Assembly Bill No. 71—An Act to prevent the careless use of firearms.

Withdrawn by consent of the House.

Assembly Bill No. 111—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Read first time, and ordered to second reading.

Assembly Bill No. 79—An Act to amend section one thousand two hundred and forty-six of the Penal Code, relating to appeals to the Supreme Court.

Read first time, and ordered to second reading.

Assembly Bill No. 245—An Act amendatory of an Act entitled "An Act to form agricultural districts, and to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," so as to create a new district out of Fresno and Tulare Counties.

Read first time, and ordered to second reading.

Assembly Bill No. 265—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read first time, and ordered to second reading.

Assembly Bill No. 264—An Act to provide for the organization of county agricultural associations, and for the management of the same by the State.

Read first time, and ordered to second reading.

Assembly Bill No. 104—An Act to amend section two thousand six hundred and fifty-two of the Political Code, in relation to the disposition of road poll tax.

Read first time, and ordered to second reading.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Read first time, and ordered to second reading.

Assembly Bill No. 27—An Act to add two new sections to "An Act to establish a Political Code," to be numbered, respectively, three thousand one hundred and twelve and three thousand one hundred and thirteen, in relation to the duties and powers of Boards of Supervisors over cemeteries and places of burial situated in incorporated towns or villages in this State, and to authorize them to prevent further interments therein, and to provide for the removal of bodies

therefrom, when the sanitary conditions of such towns are endangered by them.

Read first time, and ordered to second reading.

Assembly Bill No. 208—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to salaries of the eighth class.

Withdrawn by consent of the House.

Assembly Bill No. 44—An Act to amend section eight of "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Referred to Committee on County and Township Governments.

Assembly Bill No. 66—An Act concerning salaries and fees of office of certain county and township officers of the County of San Bernardino, approved February 14, 1878.

Refused first reading.

SECOND READING OF BILLS.

Assembly Bill No. 105—An Act to amend sections one thousand two hundred and three and one thousand two hundred and four of the Political Code, relating to election tickets and ballots.

Read second time.

Mr. Firebaugh moved to amend section two by striking out the word "and" after the words "a name has been erased," and to insert the word "or" instead.

So ordered.

Mr. Corcoran moved to strike out the enacting clause of the bill.

The usual hour for recess having arrived, on motion of Mr. Loud the House decided to give an additional half hour to the consideration of the bill before taking a recess.

Mr. Colby moved the previous question.

So ordered.

Roll call demanded on the motion of Mr. Corcoran, by Messrs. McGlashan, Wood, and Clark.

The motion was lost by the following vote:

AYES—Messrs. Ashe, Barnett, Beard, Black, Britt, Clark, Colby, Coleman, Cook, Corcoran, Culver, DeWitt, Dooling, Goucher, Gregory, Hazard, Henley, Henry, Johnson, Kalben, May, McDonald, Munday, Reeves, Watson of El Dorado, and Woodward—26.

NOES—Messrs Allen, Almy, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Daley, Davis, Deveny, Edwards, Ellison, Firebaugh, Franklin, French, Heywood, Hollister, Jones, Lafferty, Laughlin, Loud, McGlashan, McJunkin, McLean, Mears, Patterson, Pellet, Porter, Pyle, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, and Mr. Speaker—39.

RECESS.

At one o'clock, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 105—An Act to amend sections one thousand two hundred and three and one thousand two hundred and four of the Political Code, relating to election tickets and ballots.

Mr. McJunkin moved that the consideration of the bill be made a special order for Tuesday, February 3, 1885, at two o'clock P. M.

The roll call was demanded by Messrs. Munday, Colby, and Goucher, and it was so ordered by the following vote:

AYES—Messrs. Allen, Barnes, Carter of Contra Costa, Carter of Solano, Culver, Deveny, Edwards, Firebaugh, French, Hazard, Henley, Jones, Laughlin, Loud, McGlashan, McJunkin, McLean, Mears, Pellet, Reeves, Russ, Swayne, Walrath, Ward of Butte, Wood, Yule, and Mr. Speaker—26.

NOES—Messrs. Ashe, Barnett, Beard, Black, Britt, Clark, Colby, Coleman, Corcoran, Dooling, Ellison, Goucher, Gregory, Johnson, Munday, Torrey, and Woodward—17.

Assembly Bill No. 165—An Act to amend section seven hundred and sixty-eight of chapter six of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations."

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 33—An Act to add one section to an Act entitled "An Act to establish a uniform system of county and township governments," to be known as section one hundred and eighty-five.

Read second time.

Mr. Pellet moved to amend, by inserting after the words "in counties of the fifth class," the words, "and thirteenth."

Mr. Britt moved to amend, by striking out the words: "In counties of the fifth class, the Board of Supervisors may, in their discretion, appoint such clerks and assistants as shall, in their judgment, be necessary to enable the several county officers to properly perform their respective duties," and inserting instead, the following: "In any county the Board of Supervisors may, in their discretion, allow any officer of the county to appoint such deputies and assistants as shall, in the judgment of the Board, be necessary to enable such officer to properly perform the duties of his office;" also, by striking out the word "clerks" after the words "and shall fix the compensation of such," and inserting instead, the word "deputies."

Mr. McGlashan moved the previous question.

So ordered.

The question being on Mr. Britt's amendments, the amendments were lost.

Mr. Barnes moved to amend, by inserting the word "ninth" after the word "fifth," and the word "twenty-sixth" after the word "thirteenth."

Lost.

Mr. Corcoran moved to amend, by striking out the word "appoint" and insert the words "allow any county officer to appoint."

Lost.

Mr. Corcoran moved to amend, in line ten, between the words "assistants" and "and," insert the words "which compensation shall not exceed one hundred dollars per month."

Lost.

Mr. Britt moved to amend as follows: At end of section one add: "And, provided, that in counties of the thirty-seventh class the Boards

of Supervisors may allow any county officer to appoint such deputies and assistants as the Board may consider necessary for the proper discharge of the duties devolving upon such officer, and the said Board shall fix their compensation."

Mr. Corcoran moved to amend the amendment, by inserting "sixth" before "thirty-seventh."

Withdrawn by consent of the House.

Mr. McGlashan moved the previous question.

So ordered.

The question recurring upon the amendment of Mr. Britt, roll call was demanded by Messrs. Barnett, Britt, and Munday.

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

AYES—Messrs. Barnett, Beard, Black, Britt, Carter of Solano, Clark, Corcoran, Culver, DeWitt, Dooling, Firebaugh, Gregory, Heywood, Laughlin, Munday, Patterson, Pellet, Torrey, and Yule—20.

NOES—Messrs. Allen, Ashe, Barnes, Carter of Contra Costa, Colby, Coleman, Cook, Deveny, Edwards, Ellison, French, Hazard, Henley, Hollister, Jones, McGlashan, McJunkin, McLean, Mears, Reeves, Russ, Swayne, Walrath, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, and Mr. Speaker—29.

Bill ordered to second reading.

Assembly Bill No. 11—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Passed on the file.

Assembly Bill No. 75—An Act to amend section one thousand one hundred and forty-two of the Political Code, relating to Boards of Election.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance.

Passed on the file.

Assembly Bill No. 148—An Act to amend section nine of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Read second time, and passed on the file.

Mr. Barnett moved that Assembly Bill No. 148 be made a special order for Monday, at two o'clock P. M.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 72—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to salaries of county officers.

Read first time, and ordered to second reading.

RESOLUTIONS.

The resolution introduced by Mr. French at the morning session, and referred to Committee on Chinese Immigration and Emigration, was, by request, taken up, and action taken by the House.

The resolution was read, as follows:

Resolved, That the Committee on Chinese Immigration and Emigration be and they are hereby directed to inquire into the alleged purchases by Chinese of white children in this State, and to report as soon as possible to this Assembly, a draft of a bill to prevent the same, if such is ascertained to be the fact

So ordered.

By Mr. Munday:

Resolved, That the sum of one thousand and twenty-five dollars be and the same is hereby appropriated out of the Contingent Fund of the Assembly, the same being the expenses incurred by W. B. Tyler in the contested election case of Tyler vs. Morris.

Resolved, That the Controller be and he is hereby authorized and instructed to draw his warrant in favor of W. B. Tyler for said sum of one thousand and twenty-five dollars, and the Treasurer of the State is hereby instructed to pay the same.

Referred to Committee on Elections.

By Mr. Munday:

Resolved, That the sum of one thousand six hundred and fifteen dollars be and the same is hereby appropriated out of the Contingent Fund of the Assembly, the same being the expenses incurred by T. C. Morris in the contested case of Tyler vs. Morris.

Resolved, That the Controller be and he is hereby authorized and instructed to draw his warrant in favor of T. C. Morris for said sum of one thousand six hundred and fifteen dollars, and the Treasurer of the State is hereby instructed to pay the same.

Referred to Committee on Elections.

MOTIONS.

On motion of Mr. Weaver, Assembly Bill No. 72 was made a special order for Monday, February 2, 1885, at two o'clock P. M.

At three o'clock and fifty-five minutes, Mr. Coleman moved that when the House adjourn, it adjourn until Monday, February 2, 1885, at one o'clock P. M.

Roll call demanded by Messrs. Reeves, Patterson, and Carter of Contra Costa.

The motion was lost by the following vote:

AYES—Messrs. Coleman, Culver, Deveny, Ellison, Henley, Hollister, McDonald, McJunkin, Walrath, and Weaver—10.

NOES—Messrs Allen, Ashe, Barnes, Barnett, Black, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, DeWitt, Dooling, Edwards, French, Gregory, Hazard, Johnson, Jones, Lafferty, McGlashan, McLean, Mears, Munday, Patterson, Pellet, Reeves, Russ, Swayne, Torrey, Watson of El Dorado, Woodward, and Mr. Speaker—33.

ADJOURNMENT.

At four o'clock and five minutes, on motion of Mr. McJunkin, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 31, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs Allen, Almy, Ashe, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Henley, Henry, Hollister, Jones, Laughlin, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Munday, Patterson, Pellet, Porter, Reeves, Swayne, Torrey, Walrath, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Mr. Laughlin was granted leave of absence until Wednesday.

Mr. Cook was granted leave of absence for two days.

Messrs. Morris and Russ were granted leave of absence for one day.

PETITIONS.

By Mr. Allen: Two petitions from the grape growers of Sonoma County, relative to taxation on grapevines.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

An Act to amend section seven hundred and sixty-eight, of chapter six, of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the power of Boards of Trustees and Boards of Education, in municipal corporations of the fifth class, to incur indebtedness in excess of money in the treasury applicable to the purposes for which such indebtedness is to be incurred.

Also—An Act to amend section one thousand one hundred and forty-two of the Political Code, relating to Boards of Election.

Also—An Act to add one section to an Act of the Legislature of the State of California, entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, to be known as section one hundred and eighty-five, to provide for the appointment and payment by the Board of Supervisors in counties of the fifth and thirteenth class, of clerks and assistants for county officers, and the allowance of necessary expenses incurred by the Sheriffs of such counties in the transaction of criminal business.

DEVENY, Chairman.

ON INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1885

MR SPEAKER: Your Committee on Internal Improvements beg leave to report that the clerk of said committee, his services not being required, be discharged, and ask that his salary cease on and after January 31, 1885.

MEARS, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1885.

MR. SPEAKER. Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 30—Relating to the better protection and security of life and property in the use of steam boilers and engines in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

ALLEN, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1885.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of

an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the boundaries of Lake County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

J. M. WARD, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1885.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 248—An Act to amend section one hundred and twelve of an Act to establish a uniform system of county and township governments, approved March 14, 1883, relating to the duties of County Clerk—have had the same under consideration, and respectfully report the same back, and recommend that it pass.

Also, Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it pass, as amended.

EDWARDS, Chairman.

ON COUNTY AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1885.

MR. SPEAKER: Your Committee on County and County Boundaries, to whom was referred Assembly Bill No. 16—Entitled "An Act to amend an Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization, approved February 12, 1874, providing for a change and the establishment of the boundaries thereof, the same to include therein portions of the Counties of Fresno and Merced, and to provide for the payment of the portions of the debts of said counties equitably charged to San Benito County"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

J. M. WARD, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 30, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 15—An Act to amend section one thousand eight hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Also, Senate Bill No. 97—An Act to prevent the spreading of fruit and fruit-tree pests and diseases, and to provide for their extirpation.

And has also adopted Senate Concurrent Resolution No. 10—Relative to "adulterations of articles of food."

EDWIN F. SMITH, Secretary.
Per F. J. SAXE, Assistant Secretary.

Senate Bill No. 15 was referred to Committee on Judiciary.

Senate Bill No. 97 was referred to Committee on Viticulture and Viniculture.

Senate Concurrent Resolution No. 10 was referred to Committee on Commerce and Navigation.

SENATE CHAMBER, SACRAMENTO, January 30, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Senate Concurrent Resolution No. 14—Relative to the proposed treaty of the Republic of Nicaragua with the United States.

EDWIN F. SMITH, Secretary.

Senate Concurrent Resolution No. 14 was referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Patterson: Assembly Bill No. 384—An Act to amend sections eight hundred and fifty-one and eight hundred and fifty-two of chapter seven of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. Also, to add to chapter seven of the same Act eleven new sections, to be known as sections eight hundred and eighty-seven,

eight hundred and eighty-eight, eight hundred and eighty-nine, eight hundred and ninety, eight hundred and ninety-one, eight hundred and ninety-two, eight hundred and ninety-three, eight hundred and ninety-four, eight hundred and ninety-five, eight hundred and ninety-six, and eight hundred and ninety-seven, relating to Boards of Education therein.

Referred to Committee on Education.

By Mr. Clark: Assembly Bill No. 385—An Act to provide for compensating County Recorders for making abstracts of mortgages, trust deeds, etc., for use of County Assessor.

Referred to Committee on County and Township Governments.

By Mr. Edwards: Assembly Bill No. 386—An Act to regulate the registration of voters.

Referred to Committee on Elections.

By Mr. Jones: Assembly Bill No. 387—An Act to provide for the payment of the claim of H. L. Nichols.

Referred to Committee on Claims.

Also, Assembly Bill No. 388—An Act to appropriate money to pay deficiency for water for irrigation on the State Capitol grounds for the thirty-second fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 389—An Act to amend sections one thousand and ninety-four and one thousand and ninety-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to registration of electors.

Referred to Committee on Elections.

By Mr. Coleman: Assembly Bill No. 390—An Act to authorize the State Treasurer to refund and pay over certain moneys received from the sale of certain State lands.

Referred to Committee on Swamp and Overflowed Lands.

By Mr. Sullivan: Assembly Bill No. 391—An Act to authorize and provide for the erection of buildings to be used as health offices and morgues in the various counties, cities, and cities and counties of the State of California.

Referred to Committee on Municipal Corporations.

CONSTITUTIONAL AMENDMENTS.

By Mr. Goucher: Constitutional Amendment No. 10—Proposed amendment to article six of the Constitution, relating to salaries of Justices of the Supreme Court and Superior Court Judges.

Referred to Committee on Constitutional Amendments.

THIRD READING OF BILLS.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 11—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Passed on file.

Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance.

Passed on file.

FIRST READING OF BILLS.

Assembly Bill No. 243—An Act to enlarge the duties of the Board of Viticultural Commissioners.

Read first time, and ordered to second reading.

Assembly Bill No. 164—An Act to amend section one thousand six hundred and sixty-four of the Political Code, relating to public schools.

Mr. Colby moved the previous question.

The question being upon the reading of the bill the first time, it was so ordered.

Read first time, and ordered to second reading.

Assembly Bill No. 60—An Act to amend sections three thousand seven hundred and seventy-one, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the method of collection thereof.

Passed on file.

Assembly Bill No. 190—An Act to amend section two thousand six hundred and forty-two and repeal section two thousand six hundred and forty-four of the Political Code, in relation to the election of Road Overseers.

Read first time, and ordered to second reading.

Assembly Bill No. 39—An Act to amend an Act to establish a uniform system of county and township governments, approved March 14, 1883.

Refused first reading.

Assembly Bill No. 122—An Act to amend subdivision twenty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Passed on file.

Assembly Bill No. 149—An Act to put into effect certain provisions of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to compensation of officers of counties of the thirteenth class.

Refused first reading.

Assembly Bill No. 176—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relative to compensation of county officers.

Refused first reading.

Assembly Bill No. 180—An Act to amend the thirteenth and fourteenth subdivisions of subdivision three and the fourteenth subdivision of subdivision ten of section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Withdrawn by consent of House.

Assembly Bill No. 194—An Act to amend subdivision twenty-seven of section twenty-five of an Act of the Legislature, approved March

14, 1883, entitled "An Act to establish a uniform system of county and township governments."

Withdrawn by consent of House.

Assembly Bill No. 69—An Act to provide for a Poor Fund and regulate its disbursement.

Read first time, and ordered to second reading.

Assembly Constitutional Amendment No. 2—Proposed amendment to section one of article thirteen of the Constitution, relative to taxation on growing crops, etc.

Passed on the file.

Assembly Constitutional Amendment No. 6—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation.

Refused first reading.

Assembly Concurrent Resolution No. 6—Relative to viticultural industries.

Read and passed.

Assembly Concurrent Resolution No. 4—Relative to tariff on raisins.

Read and passed.

Assembly Bill No. 106—An Act to establish a State detective force for the better enforcement of the laws.

Read first time, and ordered to second reading.

Assembly Bill No. 78—An Act supplementary to an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880.

Read first time, and ordered to second reading.

Assembly Bill No. 43—An Act to amend subdivision one of section three thousand seven hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue, particularly to the collection of property taxes.

Refused first reading.

Assembly Bill No. 45—An Act to amend section three thousand seven hundred and fifty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue, particularly to the collection of property taxes.

Refused first reading.

Assembly Bill No. 174—An Act to prevent horses, mules, or asses from being kept, sold, or traded, or permitted to run at large, or hitched in public places, that are diseased with glanders, nasal gleet, or button farcy, and to provide for the killing of such diseased animals in certain cases.

Withdrawn by consent of the House.

Assembly Bill No. 163—An Act to eradicate glanders and farcy, a disease among horses and other animals, and to empower the several County Boards of Supervisors of this State to create the office of County Veterinary Surgeon, and to provide for his compensation and define his powers and duties.

Read first time, and ordered to second reading.

Assembly Bill No. 86—An Act to encourage apprentices.

Read first time, and ordered to second reading.

Assembly Bill No. 5—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code of the State of California, relating to public schools.

Passed on file

Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

Passed on file.

Assembly Bill No. 177—An Act to provide for the publication of legal notices

Read first time, and ordered to second reading.

Assembly Bill No. 152—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution, by adding a new subdivision thereto, to be known as subdivision fourteen.

Read first time, and ordered to second reading.

Assembly Bill No. 116—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of lands sold at tax sales.

Refused first reading.

Assembly Bill No. 56—An Act to amend section sixty-eight and repeal sections seventy-five and seventy-six of "An Act to establish a Civil Code," approved March 21, 1872.

Passed on the file.

Assembly Bill No. 142—An Act to amend section one thousand four hundred and one of the Civil Code, relating to estates by succession.

Read first time, and ordered to second reading.

Mr. McGlashan moved to suspend the rules, and take up Senate Concurrent Resolution No. 11.

Lost.

Assembly Concurrent Resolution No. 7—Relative to Post Office building in San Francisco.

Read and passed.

Assembly Concurrent Resolution No. 13—Relative to homesteads on public lands.

Read and passed.

Assembly Concurrent Resolution No. 5—Relative to reducing the internal revenue tax on fruit and grape brandies.

Read and lost.

Senate Concurrent Resolution No. 11—Relative to the erection of a signal service station on Mount Tamalpais, in California.

Read and passed.

MOTION.

At twelve o'clock and thirty minutes, Mr. Edwards moved that when this House adjourn, it adjourn until one o'clock and thirty minutes P. M. Monday, February 2, 1885.

The roll call being demanded by Messrs. Dooling, Woodward, and DeWitt, the adjournment was so ordered by the following vote:

AYES—Messrs Allen, Almy, Ashe, Barnes, Britt, Clark, Colby, Coleman, Culver, Deveny, DeWitt, Edwards, Ellison, Firebaugh, French, Hazard, Henley, Henry, Hollister, Johnson, Jones, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Munday, Patterson, Swayne, Torrey, Walrath, Ward of Butte, Weaver, and Mr. Speaker—35.

NOES—Messrs. Barnett, Carter of Contra Costa, Corcoran, Dooling, French, Goucher, Gregory, Pellet, Reeves, Van Voorhies, and Wood—11.

The time for recess was then extended for half an hour, on motion of Mr. Coleman.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.

Read first time, and ordered to second reading.

Assembly Concurrent Resolution No. 15—Relative to the preservation of the Lake Bigler forests on the California shore thereof, and also Lake Bigler.

Read and passed.

Assembly Bill No. 222—An Act to amend an Act approved January 14, 1868, entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866.

Read first time, and ordered to second reading.

Assembly Bill No. 144—An Act to confer certain powers upon Boards of Trustees of public libraries.

Withdrawn by consent of the House.

Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and ordered to second reading.

ADJOURNMENT.

At one o'clock P. M., on motion of Mr. Hazard, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 2, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Bublert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Messrs. Watson of El Dorado, Coleman, Johnson, and Henley were granted leave of absence for one day.

PETITION.

By Mr. Reeves: Petition from the citizens of San Bernardino County, asking for an amendment to the Constitution, to prevent the sale of intoxicating liquors as a beverage.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1885.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 307—An Act to amend section twenty-five, subdivision four, of the Political Code, relating to an Act to establish an uniform system of county and township governments, approved March 14, 1883—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend the passage of the substitute.

G. W. T. CARTER, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 119—An Act to amend section three thousand eight hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue, particularly to omissions, errors, or defects in any original or duplicate assessment book.

Also, Assembly Bill No. 145—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure, in relation to the time allowed by said Code.

Also, Assembly Bill No. 121—An Act to amend an Act entitled "An Act relative to apprentices and masters," approved April 3, 1876, amended April 9, 1880.

Also, Assembly Bill No. 143—An Act to amend section one thousand one hundred and ninety-eight of the Code of Civil Procedure, relative to practice and procedure in suits to foreclose liens of mechanics and others.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

ELLISON, Chairman.

ON VITICULTURE AND VINICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1885.

MR. SPEAKER: Your Committee on Viticulture and Viniculture, to whom was referred Senate Concurrent Resolution No. 2—Relative to viticultural industries—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PELLET, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Munday: Assembly Bill No. 392—An Act defining the powers of Boards of Supervisors of the various counties, cities and counties, of the State, in relation to licensing various kinds of business.

Referred to Committee on County and Township Governments.

Also, Assembly Bill No. 393—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as section three hundred and twenty-nine, relative to the commencement of action for the purpose of restraining the assessment and collection of taxes, and questioning the validity or legality of any law.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 394—An Act in relation to trespassing animals.

Referred to Committee on County and County Boundaries.

By Mr. Allen: Assembly Bill No. 395—An Act to add a new section to the Political Code, to be numbered two hundred and eighty-four, relating to costs and expenses in election contests, for members of the Legislature.

Referred to Committee on Judiciary.

By Mr. Moffitt: Assembly Bill No. 396—An Act to amend an Act entitled "An Act to grant to Boards of Health in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings," approved March 15, 1883.

Referred to Committee on Municipal Corporations.

By Mr. May: Assembly Bill No. 397—An Act making an appropriation to pay deficiency in the appropriation for salary of Guardian of the Yosemite Valley for the thirty-fifth fiscal year.

Referred to Committee on Ways and Means.

Also, Assembly Bill No. 398—An Act to repeal an Act entitled "An Act to divide the State into Senatorial Districts, and to provide for the election of Senators therein."

Referred to Committee on Apportionment.

By Mr. Lovell: Assembly Bill No. 399—An Act in relation to companies and corporations transacting fire, marine, or inland insurance in California, and prescribing as to rate of dividends, liabilities of stockholders, transfer of stocks, value of policy, provisions as to arbitration, and statement of assets.

Referred to Committee on Corporations.

Also, Assembly Bill No. 400—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, defining what are common carriers.

Referred to Committee on Corporations.

Also, Assembly Bill No. 401—An Act to amend section two thousand two hundred and nine of the Civil Code, in relation to damages awarded when telegraphic messages are refused or postponed.

Referred to Committee on Corporations.

Also, Assembly Bill No. 402—An Act to create a State Board of Charities, and to define its powers, prescribe its duties, and provide for its maintenance.

Referred to Committee on Public Morals.

By Mr. Yule: Assembly Bill No. 403—An Act to establish a branch State Normal School.

Referred to Committee on Education.

Also, Assembly Bill No. 404—An Act to amend section one thousand four hundred and ninety of the Code of Civil Procedure, in relation to the notice to creditors in probate proceedings.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 405—An Act to amend section one thousand four hundred and sixty-nine of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Mr. Torrey: Assembly Bill No. 406—An Act to compel individuals, companies, or corporations, possessing, owning, or controlling water for purposes of irrigation or mining, to distribute the water pro rata among purchasers in times of scarcity or drought.

Referred to Committee on Mines and Mining.

By Mr. Watson of Alameda: Assembly Bill No. 407—An Act to enable municipalities to acquire and maintain public waterworks.

Referred to Committee on Corporations.

Also, Assembly Bill No. 408—An Act to amend sections three thousand eight hundred and twenty-six, three thousand eight hundred and twenty-seven, and three thousand eight hundred and twenty-eight of the Political Code, in relation to the collection of

taxes on personal property, and prescribing the duties of County Auditors in connection therewith.

Referred to Committee on Ways and Means.

By Mr. Davis: Assembly Bill No. 409—An Act to authorize the cremation of the dead, and the erection, construction, location, and operation of crematories.

Referred to Committee on State Hospitals.

CONSTITUTIONAL AMENDMENT.

By Mr. Jones: Constitutional Amendment No. 11—Proposal to amend article thirteen of the Constitution.

Referred to Committee on Constitutional Amendments.

FIRST READING OF BILLS.

Assembly Bill No. 94—An Act making an appropriation for the deficiency in the appropriation for material and labor furnished State Normal School at San José for the thirty-fourth fiscal year.

Withdrawn by consent of the House.

Assembly Bill No. 76—An Act making appropriation for a deficiency in the appropriation for the salary of the Clerk of the State Board of Equalization for the thirty-fifth and thirty-sixth fiscal years.

Read first time, and ordered to second reading.

Assembly Bill No. 90—An Act making an appropriation for the deficiency in the appropriation for arrest of criminals inside the limits of the State for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 91—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 92—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 93—An Act making an appropriation for the deficiency in the appropriation for purchase of Supreme Court Reports for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 95—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Stockton for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 96—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Napa for the thirty-fourth fiscal year

Read first time, and ordered to second reading.

Assembly Bill No. 97—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at San Quentin for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 98—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Surveyor-General for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 99—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Attorney-General for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

SPECIAL ORDERS.

The time for consideration of special orders for two o'clock P M. having arrived, Assembly Bill No. 148—An Act to amend section nine of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878—was taken up, and Mr. Barnett moved that the bill be made the special order for Thursday, February 5, 1885, at two o'clock P. M.

So ordered.

Second special order:

Assembly Bill No. 72—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to salaries of county officers.

Read second time.

Mr. Patterson moved to amend section one hundred and sixty-three in counties of the third class, by striking out in line four the words "seven thousand five hundred dollars per annum," and inserting instead the following: "eight thousand five hundred dollars per annum."

So ordered.

Also, in section one hundred and sixty-three, in counties of the third class, by striking out in line five the words "nine thousand five hundred and twenty dollars," and inserting instead the following: "ten thousand dollars."

So ordered.

Also, in section one hundred and sixty-three, in counties of the third class, by striking out on line nine the words "six hundred and fifty dollars," and inserting instead the following. "twelve hundred and fifty dollars."

So ordered.

Also, in section one hundred and sixty-three, in counties of the third class, by striking out in line ten the words "three thousand dollars," and inserting instead the following: "four thousand dollars."

So ordered.

Also, in section one hundred and sixty-three, in counties of the third class, by striking out, in line eleven, the words "one thousand two hundred and fifty dollars," and inserting instead the following: "twenty-four hundred dollars."

So ordered.

Also, in section one hundred and sixty-three, in counties of the third class, by striking out, in line seventeen, the words "fifteen hundred dollars," and inserting instead the following: "two thousand dollars."

So ordered.

Mr. Pyle moved to amend section one hundred and sixty-three, in counties of the third class, by striking out, in line twelve, the words "six thousand dollars," and inserting instead the following: "nine thousand dollars."

So ordered.

Also, in section one hundred and sixty-three, in counties of the third class, by striking out in line thirty all the words after "Supervisors," and inserting instead the following, "one thousand eight hundred dollars each per annum."

Lost.

Mr. Pyle moved to reconsider the vote on the amendment fixing the salaries of Supervisors in counties of the third class.

So ordered.

The question then recurring on the amendment offered by Mr. Pyle, it was moved as an amendment by Mr. Jordan, to strike out "eight hundred dollars per annum," and insert "one thousand dollars per annum."

Lost.

Mr. Jordan moved as an amendment to the amendment of Mr. Pyle to strike out "eight hundred dollars per annum," and insert "twelve hundred dollars per annum."

So ordered.

Mr. Davis moved amendments to section one hundred and sixty-three, in relation to counties of the fourth class, which were adopted, as follows:

On page three, line seven, strike out "two thousand," and insert "two thousand five hundred."

On line eighteen, page three, strike out "fifty," and insert "one hundred."

On line four, page three, strike out "eight thousand five hundred," and insert "ten thousand."

On line five, page three, strike out "four thousand," and insert "five thousand."

On line seven, page three, strike out "six thousand," and insert "seven thousand."

On line ten, page three, strike out "three thousand six hundred," and insert "four thousand two hundred."

Mr. Jordan moved to amend section one hundred and sixty-three, in relation to counties of the second class, as follows: On line nineteen, to read "Supervisors, twelve hundred dollars each per annum."

So ordered.

The Committee on County and Township Governments offered the following amendments: Amend counties of the fifth class to read "the Auditor, three thousand dollars per annum." Also, "the Tax Collector, three thousand dollars per annum."

So ordered.

Mr. Munday moved to refer the bill to the Committee on County and Township Governments.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced and referred as follows:

By Mr. Weaver: Assembly Bill No. 410—An Act to amend title eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections, numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of

water for irrigation purposes, and declaring such purposes a public use, and to come within title seven, of part three, of the Code of Civil Procedure of this State.

Referred to Committee on Irrigation.

By Mr. Moffitt: Assembly Bill No. 411—An Act to provide for the conduct, control, and management of all elections to be held in the State of California.

Referred to Committee on Elections.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 100—An Act making an appropriation for the deficiency in the appropriation for copying maps in the office of the Surveyor-General for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 101—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in the office of the Superintendent of Public Instruction for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 102—An Act making an appropriation for the deficiency in the appropriation for contingent expenses of the State Board of Equalization for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 103—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Clerk of Supreme Court for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

THIRD READING OF BILLS.

Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Ward of San Francisco, Whitcomb, Wood, and Mr. Speaker—62.

NOES—Mr. Woodward—1.

Title approved.

Assembly Bill No. 165—An Act to amend section seven hundred and sixty-eight, of chapter six, of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Corcoran, Culver, Daley, Davis, DeWitt, Dooling, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henry, Hol-

lister, Hunt, Hussey, Jones, Jordan, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Yule, and Mr. Speaker—64.

NOES—None.

Title approved.

SECOND READING OF BILLS.

Assembly Bill No. 11—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read second time, bill ordered engrossed, and to be read third time.

Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance.

Read second time.

The Committee on Corporations offered the following amendment: "Strike out lines nineteen, twenty, twenty-one, twenty-two, and twenty-three, and the words 'and six,' on line twenty-five of page two, subdivision six."

So ordered.

Mr. Corcoran moved to amend, by striking out subdivision five.

Lost.

Mr. Corcoran moved to amend, by striking out, in subdivision five, the word "thirty," and inserting the word "forty."

Lost.

Bill ordered engrossed, and to be read third time.

PETITIONS—(OUT OF ORDER).

By Mr. Swayne: The following petition:

Resolved, That our legislative representatives be urged to procure the presentation to the people of the State an amendment to the State Constitution, restoring the former granting of State certificates, and according to the former modes and requirements.

SAN DIEGO COUNTY INSTITUTE.
By C. W. CAMPBELL, Secretary.

Referred to Committee on Education.

RESOLUTIONS.

By Mr. French:

WHEREAS, Large sums of money are believed to be on deposit in the various savings and loan banks of this State, which said sums have remained unclaimed for a period longer than the statutory time provided when such moneys escheat to the State of California and are payable into the State Treasury; and whereas, the Bank Commissioners of the State of California have failed in their official reports to furnish full information thereof, therefore, be it

Resolved, That a committee of five be appointed by the Speaker to make a full investigation of the moneys on deposit in the various savings and loan banks of this State, which have remained unclaimed beyond the statutory period. That the committee have full power to send for persons and papers and to employ such experts as may be necessary, and to report to this House any Act or Acts that may be necessary to enforce the payment of said sums into the State Treasury.

So ordered.

By Mr. Daley:

Resolved, The law having provided for an Enrolling Clerk, that Charles E. Stanton be and is hereby appointed as the same, at the same rate per diem as allowed by law.

Mr. Firebaugh moved to indefinitely postpone consideration of the resolution.

The roll call was demanded by Messrs. Munday, Allen, and Jordan, and the resolution was indefinitely postponed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Gregory, Hazard, Heath, Hollister, Jones, Jordan, Loud, Lovell, May, McGlashan, McJunkin, McLean, Munday, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Wood, Woodward, Yule, and Mr. Speaker—49.

NOES—Messrs. Barnes, Buhlert, Daley, Deveny, Franklin, French, Goucher, Hunt, Hussey, Lafferty, McDonald, McMurray, Patterson, Sullivan, and Ward of San Francisco—15.

By Mr. McGlashan.

Resolved, That all clerks of committees before whom there are no bills or business of this House pending, and clerks of such committees as have completed their labors, be and they are hereby discharged, and that their per diem cease from February 2, 1885; that the books of this House be the authority designating such committee clerks.

Mr. Carter of Contra Costa moved to refer the resolution to the Committee on Attachés and Employés.

The roll call was demanded by Messrs. Dooling, Hazard, and Jordan, and the motion was lost by the following vote:

AYES—Messrs. Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Daley, Davis, DeWitt, Franklin, French, Jones, Lafferty, Lovell, May, McDonald, McMurray, Patterson, Porter, Pyle, Sullivan, Swayne, Walrath, Ward of Butte, Whitcomb, Wood, and Yule—30.

NOES—Messrs Allen, Almy, Ashe, Barnett, Beard, Black, Clark, Corcoran, Dooling, Edwards, Ellison, Firebaugh, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Jordan, Long, Loud, McGlashan, McJunkin, McLean, Mears, Morris, Pellet, Reeves, Roseberry, Russ, Watson of Alameda, Ward of San Francisco, Woodward, and Mr Speaker—36.

MOTION.

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

The roll call was demanded by Messrs. Dooling, Hussey, and Barnett, and the motion was lost by the following vote:

AYES—Messrs. Almy, Barnes, Buhlert, Carter of Solano, Colby, Cook, Culver, Daley, Davis, Deveny, Firebaugh, Franklin, Hollister, Jones, Lafferty, Lovell, May, McDonald, McMurray, Patterson, Sullivan, Swayne, Walrath, Ward of San Francisco, Whitcomb, Yule, and Mr. Speaker—27.

NOES—Messrs. Allen, Ashe, Banbury, Barnett, Beard, Britt, Carter of Contra Costa, Clark, Corcoran, DeWitt, Dooling, Edwards, Ellison, French, Goucher, Gregory, Hazard, Heath, Henry, Hunt, Hussey, Jordan, Long, Loud, McGlashan, McJunkin, McLean, Moffitt, Pellet, Pyle, Reeves, Roseberry, Russ, Watson of Alameda, Wood, and Woodward—36.

Mr. McDonald offered the following amendment to the resolution of Mr. McGlashan:

Resolved, That the Chairman of each committee decide whether a clerk is needed by his committee or not.

Mr. Hazard moved to lay on the table.

Lost.

Amendment lost.

Mr. Hazard moved the previous question.

So ordered.

The question then recurring on the resolution offered by Mr. McGlashan, the roll call was demanded by Messrs. Almy, Mears, and Woodward, and the resolution was adopted by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, DeWitt, Dooling, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Jones, Jordan, Long, Loud, McGlashan, McJunkin, McLean, Mears, Moffitt, Munday, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—56.

NOES—Messrs. Daley, Deveny, Franklin, Hussey, Lafferty, Lovell, May, McDonald, McMurray, Patterson, and Yule—11.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 112—An Act for the relief of Jno. Hoagland and others.

Also, Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

Have had the same under consideration, and herewith offer substitutes therefor and recommend their passage.

Also, Assembly Bill No. 214—An Act to amend an Act and the title thereof, approved March 26, 1880—Entitled "An Act authorizing the Boards of Supervisors of the counties in which water is sold for the purpose of irrigation, to fix the rates at which water shall be sold"—has been considered, and a substitute having been submitted, the committee recommend the passage of said substitute, with the exception of all that part of section five after the word "waste," on which part of said section your committee is equally divided

Also, Assembly Bill No. 118—An Act to amend section one thousand and sixty-four of the Penal Code, by substituting the word "implied" for the word "actual," in line five of the printed bill. Recommend its passage.

Also, Assembly Bill No. 38—An Act to amend section four hundred and fifteen of the Penal Code, relating to disturbing the peace.

Also, Assembly Bill No. 275—An Act to amend section nine hundred and twenty-eight of the Penal Code, relative to Grand Juries.

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

ELLISON, Chairman.

ADJOURNMENT.

At five o'clock P. M., on motion of Mr. Goucher, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 3, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny,

DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Potter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

REPORTS OF STANDING COMMITTEES.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Senate Concurrent Resolution No. 12—Relative to the proposal, submission, and ratification of certain amendments to the Constitution—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HEATH, Chairman

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 300—Entitled "An Act to amend section one thousand seven hundred and seventy-two of the Political Code, relating to public schools and the examination and certificates of teachers"

Also, Assembly Bill No 303—Entitled "An Act to amend section one thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to the election of City Boards of Examination by City Boards of Education."

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

Also, Assembly Bill No. 290—An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art.

Also, Assembly Bill No. 301—An Act to amend section one thousand six hundred and sixty-five of the Political Code, in relation to public schools, and the branches of instruction to be given therein.

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

JORDAN, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1885.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 107—An Act to prevent the sale of opium, or the preparations thereof, except for medical purposes—have had the same under consideration, and recommend that it do not pass.

Also, Assembly Bill No. 42—An Act to amend section four hundred and twelve of the Penal Code, relative to prize-fighting—have had the same under consideration, and recommend that it do pass, as amended.

Also, Assembly Bill No. 327—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be known as section six hundred and three, relating to the formation of religious corporations for holding and administering church property—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

R. C. CARTER, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: Your Committee in Federal Relations, to whom was referred Concurrent Resolution No. 3—Report the same back to the House, without recommendation, and that the author be permitted to withdraw it, for the purpose of introducing a substitute.

Also, Concurrent Resolution No. 8—Relating to the forfeiture of unearned railroad lands—your committee recommend that it do not pass.

Also, Senate Concurrent Resolution No. 14—Relating to the proposed treaty of the Republic of Nicaragua with the United States—your committee report back to the House, and recommend that it do pass.

RUSS, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1885.

MR. SPEAKER: Your Committee on Public Buildings and Grounds beg leave to report, that, in the discharge of their duties, they have visited the State University buildings and grounds, at Berkeley, and are entitled to mileage as follows: Messrs. Davis, Ward, Kalben, Watson, Heywood, Sullivan, Buhlert, Van Voorhies, and Clerk Nichols, each from Sacramento to Oakland, and Oakland to Berkeley, and return, one hundred and ninety-two miles.

DAVIS, Chairman.

Referred to Committee on Mileage.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 2, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of school districts.

Referred to Committee on Education.

Also, Senate Bill No. 83—An Act to amend section three hundred and fifty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to powers of corporations.

Referred to Committee on Corporations.

Also, Senate Bill No. 25—An Act to amend section one thousand seven hundred and twenty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to Public Administrators.

Referred to Committee on Judiciary.

Also, Senate Bill No. 30—An Act to amend section one thousand one hundred and seventy-two of the Political Code, and to provide for exceptions in criminal cases.

Referred to Committee on Judiciary.

Also, Senate Bill No. 68—An Act to amend chapter twelve, title nine, of the Penal Code, relating to counterfeited trademarks.

Referred to Committee on Agriculture.

Also, Senate Bill No. 69—An Act to amend article three, chapter seven, title seven, of the Political Code, relative to trademarks.

Referred to Committee on Agriculture.

Also, Senate Bill No. 116—An Act to amend section two hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the number and designation of officers and employés of the Senate.

Referred to Committee on Attachés and Employés.

Also, Assembly Bill No. 2—An Act to authorize the Board of State Harbor Commissioners to pay the claims of John S. Wilkins.

EDWIN F. SMITH, Secretary.
Per F. J. SAXE, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, February 2, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Assembly Concurrent Resolution No. 1—Relative to Mexican Veterans' Pension Bill in United States Congress.

Also, Assembly Concurrent Resolution No. 12—Relative to tariff on prunes.

EDWIN F. SMITH, Secretary.
Per F. J. SAAE, Assistant Secretary.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. French: Assembly Bill No. 412—An Act to provide for the declaration of a public nuisance and the removal of persons whose presence is dangerous to the sanitary condition and well being of communities outside the limits of cities and towns in the State of California.

Referred to Committee on Municipal Corporations.

Also, Assembly Bill No. 413—An Act to add two new sections to an Act entitled "An Act to establish a Political Code," to be numbered, respectively, sections three thousand one hundred and twelve and three thousand one hundred and thirteen, in relation to the duties and powers of Boards of Supervisors, or other legislative bodies, over cemeteries and places of burial situated in any city or town, or city and county, in this State, and to authorize them to prevent further interments therein, or removal thereof, when the sanitary condition of such city or town, or city and county, is endangered by them.

Referred to Committee on Municipal Corporations.

Also, Assembly Bill No. 414—An Act to exempt the earnings of labor from attachments, executions, or garnishments during a certain period.

Referred to Committee on Labor and Capital.

By Mr. Douglas: Assembly Bill No. 415—An Act to amend an Act entitled "An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco," approved April 3, 1876.

Referred to Committee on Municipal Corporations.

Also, Assembly Bill No. 416—An Act relating to the issuance of licenses in this State.

Referred to Committee on Ways and Means.

By Mr. Jordan: Assembly Bill No. 417—An Act providing for the payment of a balance of a judgment due in favor of Trustum C. Gilman against the County of Contra Costa.

Referred to Committee on Claims.

By Mr. Deveny: Assembly Bill No. 418—An Act to amend chapter five, article three, section one hundred and ten, of the Code of Civil Procedure, in relation to Justices of the Peace and Justices' Courts in general.

Referred to Committee on Judiciary.

By Mr. Cook: Assembly Bill No. 419—An Act to prevent the sale of tobacco to minors.

Referred to Committee on Public Morals.

By Mr. Ashe: Assembly Bill No. 420—An Act to amend section one thousand four hundred and twenty-two of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Referred to Committee on Judiciary.

By Mr. Britt: Assembly Bill No. 421—An Act to amend sections one, two, five, and eight of an Act approved March 3, 1883, entitled "An Act to amend an Act entitled 'An Act to create Hastings College of Law in the University of the State of California,'" approved March 26, 1878.

Referred to Committee on Education.

By Mr. Lovell: Assembly Bill No. 422—An Act to regulate the manufacture of canned goods, and compel the stamping thereon the date of canning.

Referred to Committee on Commerce and Navigation.

By Mr. Beard: Assembly Bill No. 423—An Act to amend an Act entitled "An Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled 'An Act to establish a Political Code,' approved March 12, 1872, and each and every section of said chapter two, and to enact a chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two, in said Code, relating to roads and highways.'"

Referred to Committee on Judiciary.

By Mr. McMurray: Assembly Bill No. 424—An Act to provide for the payment of the claim of Colonel W. B. Burtis, for special services performed by him as Second Lieutenant, Company "F," Second Infantry Regiment, Second Brigade, N. G. C., pursuant to Special Orders, No. 26, series 1880, issued from General Headquarters.

Referred to Committee on Claims.

CONSTITUTIONAL AMENDMENT.

By Mr. Heath: Constitutional Amendment No. 12—Proposed amendment of sections one, four, and ten, of article thirteen, of the Constitution.

RESOLUTION—(OUT OF ORDER).

By Mr. Long:

Resolved, That the Chairman of the Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry be and he is hereby directed to send for Mr. M. C. Briggs, and the books and papers of the Yosemite Commission, for examination by the said committee.

So ordered.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. May, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 76—An Act making appropriation for a deficiency in the appropriation for the salary of the Clerk of the State Board of Equalization for the thirty-fifth and thirty-sixth fiscal years.

Speaker Parks in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 76—An Act making appropriation for a deficiency in the appropriation for the salary of the Clerk of the State Board of Equalization for the thirty-fifth and thirty-sixth fiscal years—and now report it back, and recommend its passage.

Report received.

Mr. Munday moved to suspend the rules, so far as they require the House to go into Committee of the Whole on the following Assembly Bills: Nos. 90, 91, 92, 93, 95, 96, 97, 98, 99, 100, 101, 102, and 103.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 76—An Act making appropriation for a deficiency in the appropriation for the salary of the Clerk of the State Board of Equalization for the thirty-fifth and thirty-sixth fiscal years.

Read second time, bill ordered engrossed, and to be read the third time.

Assembly Bill No. 90—An Act making an appropriation for the deficiency in the appropriation for arrest of criminals inside the limits of the State for the thirty-fourth fiscal year.

Read second time, bill ordered engrossed, and to be read the third time.

Assembly Bill No. 91—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-fourth fiscal year.

Read second time, bill ordered engrossed, and to be read the third time.

Assembly Bill No. 92—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fourth fiscal year.

Read second time, bill ordered engrossed, and to be read the third time.

Assembly Bill No. 93—An Act making an appropriation for the deficiency in the appropriation for purchase of Supreme Court Reports for the thirty-fourth fiscal year.

Read second time, bill ordered engrossed, and to be read the third time.

Assembly Bill No. 95—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Stockton for the thirty-fourth fiscal year.

Read second time, bill ordered engrossed, and to be read the third time.

Assembly Bill No. 96—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Napa for the thirty-fourth fiscal year.

Read second time, bill ordered engrossed, and to be read the third time.

Assembly Bill No. 97—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at San Quentin for the thirty-fourth fiscal year.

Read second time, bill ordered engrossed, and to be read the third time.

Assembly Bill No. 98—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Surveyor-General, for the thirty-fourth fiscal year.

Read second time, bill ordered engrossed, and to be read the third time.

Assembly Bill No. 99—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Attorney-General for the thirty-fourth fiscal year.

Read second time, bill ordered engrossed, and to be read third time.

Assembly Bill No. 100—An Act making an appropriation for the deficiency in the appropriation for copying maps in the office of the Surveyor-General for the thirty-fourth fiscal year.

Read second time, bill ordered engrossed, and to be read third time.

Assembly Bill No. 101—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in the office of the Superintendent of Public Instruction for the thirty-fourth fiscal year.

Read second time, bill ordered engrossed, and to be read third time.

Assembly Bill No. 102—An Act making an appropriation for the deficiency in the appropriation for contingent expenses of the State Board of Equalization for the thirty-fourth fiscal year.

Read second time, bill ordered engrossed, and to be read third time.

Assembly Bill No. 103—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Clerk of Supreme Court for the thirty-fourth fiscal year.

Read second time, bill ordered engrossed, and to be read third time.

THIRD READING OF BILLS.

Assembly Bill No. 75—An Act to amend section one thousand one hundred and forty-two of the Political Code, relating to Boards of Election.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Beard, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Cook, Culver, Daley, Deveny, Douglas, Edwards, Ellison, Firebaugh, French, Hazard, Heath, Heywood, Hunt, Jones, Jordan, Kalben, Lafferty, Loud, Lovell, McDonald, McGlashan, McJunkin, McMurray, Morris, Munday, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—50.

NOES—Messrs. Allen, Ashe, Barnett, Black, Corcoran, Davis, DeWitt, Dooling, Gregory, Henry, Hollister, Long, May, Mears, Moffitt, Van Voorhies, and Ward of San Francisco—17.

Title approved.

Assembly Bill No. 33—An Act to add one section to an Act entitled "An Act to establish a uniform system of county governments," to be known as section one hundred and eighty-five.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Britt, Buhlert, Colby, Cook, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, Firebaugh, French, Hazard, Heath, Henley, Henry, Heywood, Hunt, Hussey, Jones, Jordan, Lafferty, Long, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—53.

NOES—Messrs. Allen, Ashe, Beard, Black, Carter of Contra Costa, Corcoran, Gregory, Hollister, McDonald, Van Voorhies, and Ward of Butte—11.

Title approved.

FIRST READING OF BILLS.

Assembly Bill No. 60—An Act to amend sections three thousand seven hundred and seventy-one, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the method of collection thereof.

The question being upon the first reading of the bill, the roll call was demanded by Messrs. Corcoran, Barnett, and Moffitt, and it was refused a first reading by the following vote:

AYES—Messrs Allen, Ashe, Banbury, Barnett, Beard, Black, Britt, Carter of Contra Costa, Cook, Corcoran, DeWitt, Dooling, Edwards, Goucher, Gregory, Hazard, Heath, Henley, Henry, McDonald, McGlashan, McLean, Moffitt, Morris, Munday, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, Woodward, and Yule—37.

NOES—Messrs Barnes, Buhlert, Carter of Solano, Colby, Coleman, Culver, Daley, Davis, Deveny, Douglas, Ellison, Firebaugh, French, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McJunkin, McMurray, Mears, Patterson, Pellet, Porter, Sullivan, Van Voorhies, Walrath, Ward of San Francisco, Whitcomb, and Mr. Speaker—37.

Assembly Bill No. 122—An Act to amend subdivision twenty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Passed on the file.

Assembly Constitutional Amendment No. 2—Proposed amendment to section one of article thirteen of the Constitution, relative to taxation on growing crops, etc.

Read first time, and ordered to second reading.

Assembly Bill No. 5—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code of the State of California, relating to public schools.

Refused first reading.

Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

Read first time, and ordered to second reading.

Assembly Bill No. 56—An Act to amend section sixty-eight and repeal sections seventy-five and seventy-six of an Act to establish a Civil Code, approved March 21, 1872.

Read first time, and ordered to second reading.

Assembly Bill No. 87—An Act to amend section two thousand six hundred and forty-three of the Political Code, relating to roads and highways

Read first time, and ordered to second reading.

Assembly Bill No. 195—An Act to amend section two thousand six hundred and forty-three of chapter ten of an Act of the Legislature, approved February 28, 1883, relating to roads and highways.

Read first time, and ordered to second reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance.

Also, Assembly Bill No. 11—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Also, Assembly Concurrent Resolution No. 13—Relating to homestead settlers on public lands.

Also, Assembly Concurrent Resolution No. 4—Relating to the tariff on raisins.

Also, Assembly Concurrent Resolution No. 15—Relating to forestry.

Also, Assembly Concurrent Resolution No. 6—Relative to viticultural industries.

Also, Assembly Concurrent Resolution No. 7—Relating to Federal Post Office in San Francisco.

DEVENY, Chairman.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

QUESTION OF PRIVILEGE.

Mr. May arose to a question of privilege upon certain articles which have appeared in the San Francisco papers regarding his appointing clerks. He pronounced the same untrue.

COMMITTEE CLERKS DISCHARGED.

The Chief Clerk announced that, in accordance with a resolution introduced and adopted on Monday, discharging all clerks of committees that have no business before them, the clerks of the following committees had been discharged: Committees on Indian Affairs, Labor and Capital, Retrenchment, Silk Culture. State Library, and Water Rights and Drainage.

SPECIAL ORDER.

The time for the consideration of special orders for two o'clock P. M. this day having arrived, Assembly Bill No. 105—An Act to amend sections one thousand two hundred and three and one thousand two hundred and four of the Political Code, relating to election tickets and ballots, was taken up.

Mr. Munday moved to indefinitely postpone the consideration of the bill.

Mr. McJunkin moved the previous question.

So ordered.

The question then recurring on the motion of Mr. Munday to indefinitely postpone the bill, the roll call was demanded by Messrs. Barnett, Moffitt, and Munday, and the motion was lost by the following vote:

AYES—Messrs. Ashe, Barnett, Beard, Black, Britt, Clark, Colby, Coleman, Cook, Corcoran, DeWitt, Dooling, Ellison, Goucher, Gregory, Hazard, Henley, Henry, McDonald, Mears, Moffitt, Morris, Munday, Pellet, Reeves, Torrey, Van Voorhies, Watson of El Dorado, and Woodward—29

NOES—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Solano, Culver, Daley, Davis, Deveny, Douglas, Edwards, Firebaugh, Franklin, French, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of San Francisco, Whitcomb, Wood, Yule, and Mr Speaker—45.

Mr. Hazard moved to amend, as follows: Insert after the word "ink," on line four, page one, the words "or with pencil."

Lost.

Mr. Hazard moved to further amend, as follows: After the word "Board," on line eight, page one, add the following words: "and whenever a name printed on said ballot appears to be erased in any other manner than that in writing with pen and ink, and no name substituted therefor, the erasure shall be disregarded."

Mr. Deveny moved the previous question.

So ordered.

The question then recurring on the amendment offered by Mr. Hazard, the roll call was demanded by Messrs. McGlashan, Munday, and Moffitt.

The amendment was lost by the following vote:

AYES—Messrs. Allen, Banbury, Barnett, Black, Carter of Contra Costa, Carter of Solano, Clark, Colby, Corcoran, DeWitt, Edwards, Ellison, Gregory, Hazard, Henley, Henry, McDonald, McGlashan, Mears, Moffitt, Morris, Munday, Pellet, Reeves, Roseberry, Torrey, Van Voorhies, Watson of El Dorado, and Ward of Butte—29.

NOES—Messrs. Almy, Ashe, Barnes, Beard, Britt, Buhlert, Coleman, Cook, Daley, Davis, Deveny, Dooling, Douglas, Firebaugh, Franklin, French, Goucher, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McJunkin, McLean, McMurray, Porter, Pyle, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—46.

The question then recurring on ordering the bill engrossed, and to be read the third time, the roll call was demanded by Messrs. Munday, Goucher, and Beard.

It was so ordered by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Culver, Daley, Davis, Deveny, Douglas, Edwards, Firebaugh, Franklin, French, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McJunkin, McLean, McMurray, Moffitt, Pellet, Porter, Pyle, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Yule, and Mr. Speaker—46.

NOES—Messrs. Allen, Ashe, Barnett, Beard, Black, Britt, Clark, Colby, Coleman, Cook, Corcoran, DeWitt, Dooling, Goucher, Gregory, Hazard, Henley, Henry, McDonald, McGlashan, Mears, Morris, Munday, Reeves, Torrey, Van Voorhies, Watson of El Dorado, and Woodward—30.

The bill was ordered engrossed, and to be read third time.

NOTICE OF RECONSIDERATION.

Mr. Moffitt gave notice, that on to-morrow, Wednesday, he would move to reconsider the vote taken on Assembly Bill No. 105.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 209—An Act to amend an Act entitled "An Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled 'An Act to establish a Political Code,' approved March 12, 1872, and each and every section of

said chapter two, and to enact a new chapter two, of title six, part three, of said Code, and substitute the same in place of said repealed chapter two of said Code, relating to roads and highways," approved February 28, 1883.

Withdrawn by consent of the House.

Assembly Bill No. 65—An Act to amend section four hundred and eighty-five of the Civil Code, relating to the fencing of railroads.

Passed on the file.

Assembly Bill No. 85—An Act to facilitate the giving of bonds required by law.

Read first time, and ordered to second reading.

Assembly Bill No. 109—An Act to regulate the fees of office of County Clerks.

Read first time, and ordered to second reading.

Assembly Bill No. 88—An Act to diminish the cost of judicial proceedings, and to regulate the fees of Sheriffs and certain other officers.

Read first time, and ordered to second reading.

Assembly Bill No. 19—An Act to provide for the division of existing counties, and for the creation of new counties; to determine the location of county seats by an election; to declare the manner of providing officers; to provide funds for their support by the issuance of bonds, and to determine what portion of old county debts is chargeable to such new counties.

Mr. Barnett moved to indefinitely postpone the consideration of the bill.

Mr. Hazard moved the previous question.

So ordered.

The question then recurring on the motion of Mr. Barnett to indefinitely postpone the consideration of the bill, the roll call was demanded by Messrs. Hunt, Hollister, and Ashe.

The motion was lost by the following vote:

AYES—Messrs. Allen, Ashe, Barnett, Black, Britt, Clark, Coleman, Corcoran, Culver, DeWitt, Dooling, Ellison, Hazard, Henley, Henry, Hussey, Morris, Munday, Swayne, Ward of Butte, Woodward, and Mr. Speaker—21.

NOES—Messrs. Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Daley, Davis, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Torrey, Van Voorhies, Walrath, Watson of El Dorado, and Wood—47.

The question then recurring on the first reading of the bill, the roll call was demanded by Messrs. McGlashan, Edwards, and McLean.

The bill was ordered read first time by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Beard, Buhlert, Carter of Solano, Clark, Coleman, Cook, Davis, Deveny, Edwards, Franklin, Goucher, Gregory, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Pyle, Reeves, Roseberry, Russ, Sullivan, Van Voorhies, Walrath, and Whitcomb—38.

NOES—Messrs. Allen, Ashe, Barnett, Black, Britt, Carter of Contra Costa, Colby, Corcoran, Culver, Daley, Dooling, Douglas, Ellison, Firebaugh, French, Hazard, Henley, Hussey, Long, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Swayne, Torrey, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—32.

Bill read first time, and ordered to second reading.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Concurrent Resolutions have been correctly enrolled:

Assembly Concurrent Resolution No. 1—Relative to Mexican Veterans' Pension Bill in United States Congress.

Also, Assembly Concurrent Resolution No. 12—Relative to tariff on prunes.

And the same were, at four o'clock and five minutes P. M., February 3, 1885, presented to the Governor for his approval.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled:

Assembly Bill No. 2—Entitled "An Act to authorize the Board of State Harbor Commissioners to pay the claim of John S. Wilson."

And the same was, at two o'clock and ten minutes P. M., February 3, 1885, presented to the Governor for his approval.

DALEY, Chairman.

ON AGRICULTURE, MINING, AND MECHANIC ARTS COLLEGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: Your Committee on Agriculture, Mining, and Mechanic Arts College respectfully report that on Friday, January 30, 1885, they proceeded from the City of Sacramento to Berkeley, where they inspected the Agriculture Department of the State University; also the Mechanic Arts College at the same place, and that the following named members of the committee, Messrs. Van Voorhies, Ward of San Francisco, Cook, Gregory, Loud, Moffitt, Roseberry, and the Clerk, William Alperson, in the performance of the duty indicated, are entitled to mileage from Sacramento to Oakland, one hundred and ninety-two miles.

VAN VOORHIES, Chairman.

Referred to Committee on Mileage.

RESOLUTIONS.

By Mr. Jordan:

Resolved, That the Controller be authorized and directed to draw his warrant in favor of the Committee on Education for the sum of one hundred and seventy-nine dollars and twenty cents, in payment of mileage due said committee for visiting the State Normal School at San José.

Referred to Committee on Mileage.

By Mr. Coleman:

Resolved, That Rule XLVI of the Standing Rules of the Assembly be amended so as to read as follows:

XLVI.—MOTIONS TO ADJOURN.

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

Referred to Committee on Rules.

By Mr. Banbury:

Resolved, That the Controller be authorized and directed to draw his warrant in favor of the Committee on Military Affairs, for the sum of one hundred and two dollars and forty cents, in payment of mileage due said committee for visiting San José in the discharge of their duty.

Referred to Committee on Mileage.

By Mr. Torrey:

MR. SPEAKER: The subject-matter of the resolution which I am about to introduce is one of vital importance to the great majority of the people of this State, and one to which I have given much time and thought. The evil of land monopoly has not, heretofore, I believe, been brought

before this House for its consideration; yet, in importance, it is second to none that has been or may be brought before this Assembly. It places almost unlimited power in the hands of the few, to the great detriment of the interest of the many. It is an evil that is calling loudly for redress. It has been and still continues to be a huge stumbling block in the path of our State's development Thousands of poor men are prevented from obtaining homes for themselves and families, where, as lords of the soil, they could, by honest toil, make a comfortable living for themselves and those dependent upon them, because the capitalists have and still are grabbing all the best lands of the State, by virtue of the power their money gives them. In no section of this State, by no people, have the hardships, the deprivations arising from this great evil, been more severely felt, than in that section and by those people whom I have the honor to represent, and they most respectfully ask this honorable body to take some action having a tendency to extinguish this gigantic evil In conclusion, I would say, in my humble opinion, the resolution here offered is one of the greatest importance, and may be prolific of great good to the people of this State, and I ask for it your favorable consideration:

Resolved, That the interests of the great majority of the people of this State demand that some action be taken to prevent the growing evil of land monopoly. Be it therefore

Resolved, That a Committee on "Land Monopoly," consisting of seven members of this House, be appointed to investigate the matter and decide upon some plan of action looking to the prohibition of this great evil.

Referred to the Committee on Homestead and Land Monopoly.

CONCURRENT RESOLUTION.

By Mr. Woodward: Relative to a reciprocity treaty between the United States and Mexico

Referred to Committee on Federal Relations.

PETITIONS—(OUT OF ORDER).

By Mr. Firebaugh: From the State Horticultural Society, relative to the establishment of a system of reporting monthly crop and stock statistics.

Referred to Committee on Agriculture.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 4, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal amended and approved.

PETITIONS.

By Mr. French: Petition from the property owners and manufacturers on "Islais Creek," indorsing Assembly Bill No. 31.

By Mr. Woodward: From the citizens of San Joaquin County, protesting against the passage of Senate Bill No. 75.

LEAVE OF ABSENCE TO COMMITTEE.

The Committee on Fish and Game were granted leave of absence for next Saturday.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bill No. 76—An Act making appropriation for a deficiency in the appropriation for the salary of the Clerk of the State Board of Equalization for the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 90—An Act making an appropriation for the deficiency in the appropriation for arrest of criminals inside the limits of the State for the thirty-fourth fiscal year.

Also, Assembly Bill No. 91—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-fourth fiscal year.

Also, Assembly Bill No. 92—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fourth fiscal year.

Also, Assembly Bill No. 93—An Act making an appropriation for the deficiency in the appropriation for purchase of Supreme Court Reports for the thirty-fourth fiscal year.

Also, Assembly Bill No. 95—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Stockton for the thirty-fourth fiscal year.

Also, Assembly Bill No. 96—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Napa for the thirty-fourth fiscal year.

Also, Assembly Bill No. 97—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at San Quentin for the thirty-fourth fiscal year.

Also, Assembly Bill No 98—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Surveyor-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 99—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Attorney-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 100—An Act making an appropriation for the deficiency in the appropriation for copying maps in the office of the Surveyor-General for the thirty-fourth fiscal year

Also, Assembly Bill No. 101—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in the office of the Superintendent of Public Instruction for the thirty-fourth fiscal year

Also, Assembly Bill No. 102—An Act making an appropriation for the deficiency in the appropriation for contingent expenses of the State Board of Equalization for the thirty-fourth fiscal year.

Also, Assembly Bill No. 103—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Clerk of the Supreme Court for the thirty-fourth fiscal year

Also, Assembly Bill No. 105—An Act to amend sections one thousand two hundred and three and one thousand two hundred and four of the Political Code, relating to election tickets and ballots.

DEVENY, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885.

MR. SPEAKER. Your Committee on Claims, to whom was referred Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880—have had the same under consideration, and report the same back, with a recommendation that it do pass. The origin and character of the indebtedness proposed to be paid by this bill are so fully set forth in the report made at the last session, and so well known to all, as to need no further rehearsal; and it seems only necessary for your committee, in urging its liquidation, to say that the State of California cannot afford to avail itself of technical Court decisions to evade payment for services honestly performed, and in pursuance of what, at the time, was law.

SWAYNE, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Swayne:

Resolved, That the usual number of copies of the report of the Committee on Claims of the House, at the twenty-fifth session, with reference to the bill to pay the indebtedness accruing under the Act to promote drainage, be printed for the use of members.

So ordered.

By Mr. McDonald:

Resolved, That no member shall speak more than once on any question before the House, and the time of each member speaking shall be limited to five minutes.

Referred to Committee on Rules.

ON YOSEMITE VALLEY AND MARIPOSA GROVE OF BIG TREES AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885.

MR. SPEAKER: Your Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry respectfully recommend the passage of the accompanying bill, viz.: An Act to amend an Act entitled "An Act to provide for the management of the Yosemite Valley and Mariposa Big Tree Grove," approved April 15, 1880; said bill having been considered by your committee, who assumes the authorship thereof.

LONG, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 339—An Act to provide that no compensation shall be paid to the Mayors or members of the Common Council of cities containing less than ten thousand inhabitants—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No. 219—An Act to provide for the disincorporation of municipal corporations of less than three thousand inhabitants—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass, as amended.

Also, Assembly Bill No. 331—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding thereto a new section, to be numbered section six hundred and thirty-three—have had the same under consideration, and respectfully report the same back with amended title, and recommend that it do pass, as amended.

Also, Assembly Bill No. 250—An Act to provide for the appointment of appointive officers, members of Boards or Commissions of any county, city, city and county, township, or municipality, and to provide for the appointment of appointive officers, to succeed officers, members of Boards, or Commissioners, heretofore appointed, whose constitutional or legislative terms of office have already expired—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

LOUD, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 340—An Act to amend section six hundred and twenty-six of the Penal Code, and to add a new section thereto, to be known as section six hundred and twenty-seven, relating to the preservation of fish and game.

Also, Assembly Bill No 169—An Act to amend section six hundred and thirty-four of the Penal Code, relative to fish and game—have had the same under consideration, and recommend that they pass, as amended.

Also, Assembly Bill No. 179—An Act to amend section six hundred and thirty-six of the Penal Code, relative to fish and game—your committee have considered the same, and herewith submit a substitute and recommend the passage of the substitute.

Also, Assembly Bill No. 308—An Act to authorize the Board of Fish Commissioners of this State to construct a steam launch, to aid in carrying out the purposes of said Board, and providing for the payment of claims incurred in such construction—your committee have considered the same, and recommend that it do pass.

Also, Assembly Bill No. 50—An Act to amend section six hundred and twenty-six of the Penal Code, and to add a new section thereto, to be known as section six hundred and twenty-seven, relating to the preservation of game and fish—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

COLEMAN, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER Your Committee on Corporations, to whom was referred Assembly Bill No 267—An Act to amend section two thousand five hundred and thirty-eight of the Civil Code, in relation to insurance.

Also, Assembly Bill No. 284—An Act to amend section three hundred and fifty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to powers of corporations.

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

Also, Assembly Bill No 178—An Act to regulate and limit the charges for services performed by telegraph corporations.

Also, Assembly Bill No 181—An Act to amend section two thousand two hundred and nine of the Civil Code, in relation to damages awarded where telegraphic messages are refused or postponed

Also, Assembly Bill No. 182—An Act to regulate the rate of charges upon telegraph lines and to prevent extortion by owners of telegraph lines

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

JONES, Chairman.

ON STATE PRISONS.

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1885

MR. SPEAKER: The Committee on State Prisons, to whom was referred Senate Concurrent Resolution No. 5—Relative to directing the Governor to appoint a committee of five citizens to inquire into the subject of penology, as applicable to the condition of prison affairs within this State—report the same back, with the amendment, and recommend that it do pass.

ALMY, Chairman.

ON VITICULTURE AND VINICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885.

MR. SPEAKER: Your Committee on Viticulture and Vinticulture, to whom was referred Senate Bill No. 97—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass, as amended.

PELLET, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 54—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend the passage of the substitute.

G. W. T. CARTER, Chairman

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bills Nos 123, 161, 199, 201, and 202—having had the same under consideration, beg leave to report the same back, with the recommendation that they do severally pass.

Also, Assembly Bills Nos 203 and 204—with the recommendation that they do not pass

Also, Assembly Bill No. 200—At request of the author, that he have leave to withdraw the same.

MAY, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1885.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 14—Relative to the adulteration of food—have amended the same, and report the same back to the House, as amended, and recommend that it do pass.

Also, Assembly Concurrent Resolution No. 16—Relative to a system of defenses on the Pacific Coast—your committee having considered the same, report it back to the House, and recommend that it do pass.

RUSS, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Military Affairs, on the occasion of their visit to San José—have had the same under consideration, and recommend that the following named members be entitled to mileage for two hundred and fifty-six miles: Banbury, Heath, Douglas, and Clerk Harkness

Resolved, That the Controller be and is hereby authorized to draw his warrant for one hundred and two dollars and forty cents, in favor of J. Banbury, for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Public Buildings and Grounds, on the occasion of their visit to the State University at Berkeley—have had the same under consideration, and recommend that the following named members be allowed mileage for one hundred and ninety-two miles. Davis, C. H. Ward, Kalben, Watson, Heywood, Sullivan, Buhlert, Van Voorhies, and Clerk Nichols.

Resolved, That the Controller be and is hereby authorized to draw his warrant for one hundred and seventy-two dollars and eighty cents, in favor of W. J. Davis, Chairman, for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Agriculture, Mining, and Mechanic Arts College—have had the same under consideration, and recommend that the following named members be entitled to mileage for one hundred and ninety-two miles. Messrs. Van Voorhies, C. H. Ward, Cook, Gregory, Loud, Moffitt, Roseberry, and Clerk Alperson.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of one hundred and fifty-three dollars and sixty cents in favor of R. J. Van Voorhies for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ASSEMBLY CHAMBER, SACRAMENTO, February —, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Education, on the occasion of their visit to the Normal School at San José—have had the same under consideration, and recommend that the following named members be entitled to mileage for two hundred and fifty-six miles. Messrs. Jordan, Long, Lovell, Hunt, May, Moffitt, and Clerk Havens.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of one hundred and seventy-nine dollars and twenty cents in favor of W. H. Jordan, Chairman, for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 31—An Act to amend an Act entitled "An Act declaring Islais Creek, in the City and County of San Francisco, a navigable stream," approved March 26, 1868, and to amend an Act entitled "An Act approved March 28, 1868, to amend an Act entitled 'An Act granting to certain persons therein named the right to lay a railroad track along certain streets in the City and County of San Francisco,'" approved April 2, 1866, and to require the State Harbor Commissioners to remove certain obstructions from Islais Creek, in the City and County of San Francisco, and to build a drawbridge thereon, and to authorize its payment—have had the same under consideration, and respectfully report the same back, with a substitute for the bill, and recommend the passage of the substitute.

LOVELL, Chairman.

ON CHINESE IMMIGRATION AND EMIGRATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: Your Committee on Chinese Immigration and Emigration, to whom was referred Senate Concurrent Resolution No. 6—Relative to the restriction of Chinese immigration.

Also, Assembly Bill No. 382—An Act to amend an Act entitled "An Act to promote emigration from the State of California," approved March 26, 1880—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SULLIVAN, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, February 3, 1885.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 2—An Act to authorize the Board of State Harbor Commissioners to pay the claim of John S Wilkins.

GEORGE STONEMAN, Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Concurrent Resolution No. 16—Relative to printing astronomical reports of the Lick Observatory.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

Referred to Committee on Public Printing.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By the Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry: Assembly Bill No. 425—An Act to amend an Act entitled "An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove," approved April 15, 1880.

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

By Mr. Watson of El Dorado: Assembly Bill No. 426—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game.

Referred to Committee on Fish and Game.

By Mr. Banbury: Assembly Bill No. 427—An Act to provide for a Contingent Fund for the twenty-sixth session of the Legislature.

Referred to Committee on Ways and Means.

By Mr. McGlashan: Assembly Bill No. 428—An Act to create the County of Orange, to establish the boundaries thereof, and to provide for its organization.

Referred to Committee on County and County Boundaries.

Also, Assembly Bill No. 429—An Act to amend section one thousand and ninety-one of the Code of Civil Procedure, relating to the writ of mandate.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 430—An Act to amend section one thousand and eighty-six of the Code of Civil Procedure, relating to the writ of mandate.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 431—An Act to amend section three hun-

dred and twenty-four of the Civil Code, concerning corporations and corporate stock.

Referred to Committee on Corporations.

Also, Assembly Bill No. 432—An Act to amend section three hundred and twenty-three of the Civil Code, relating to corporate stock.

Referred to Committee on Corporations.

Also, Assembly Bill No. 433—An Act to amend section three hundred and seventy-eight of the Civil Code, concerning records of corporations.

Referred to Committee on Corporations.

Also, Assembly Bill No. 434—An Act to amend section three hundred and fifty-eight of the Civil Code, concerning corporate powers.

Referred to Committee on Corporations.

By Mr. Jordan: Assembly Bill No. 435—An Act to amend section one thousand seven hundred and ninety-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the grading of city certificates by City Boards of Examination.

Referred to Committee on Education.

By Mr. Mears: Assembly Bill No. 436—An Act to appropriate money for the relief of J. C. Doherty.

Referred to Committee on Claims.

By Mr. Van Voorhies: Assembly Bill No. 437—An Act to amend sections two thousand five hundred and forty-six, two thousand five hundred and fifty-two, two thousand five hundred and sixty-four, two thousand five hundred and sixty-eight, two thousand five hundred and eighty-seven, two thousand five hundred and ninety, and two thousand five hundred and ninety-one, and to repeal sections two thousand five hundred and forty-one, two thousand five hundred and forty-two, two thousand five hundred and fifty-one, two thousand five hundred and fifty-three, two thousand five hundred and fifty-four, two thousand five hundred and fifty-five, two thousand five hundred and fifty-eight, two thousand five hundred and sixty-eight, and two thousand five hundred and eighty-eight of an Act passed March 21, 1872, and entitled "An Act to establish a Civil Code."

Referred to Committee on Corporations.

By Mr. Long: Assembly Bill No. 438—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Referred to Committee on Judiciary.

CONSTITUTIONAL AMENDMENTS.

By Mr. McLean: Constitutional Amendment No. 13—Proposed amendments to the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

THIRD READING OF BILLS.

Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Gregory, Heath, Henley, Henry, Heywood, Hollister, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—66.
NOES—Messrs Colby and Munday—2.

Title approved.

Assembly Bill No. 11—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—73.
NOES—None.

Title approved.

FIRST READING OF BILLS.

Assembly Bill No. 122—An Act to amend subdivision twenty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Passed on file.

Assembly Bill No. 65—An Act to amend section four hundred and eighty-five of the Civil Code, relating to the fencing of railroads.

Read first time, and ordered to second reading.

Assembly Bill No. 67—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Read first time, and ordered to second reading.

Assembly Bill No. 40—An Act to amend an Act entitled "An Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled 'An Act to establish a Political Code,'" approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two in said Code, relating to roads and highways.

Read first time, and ordered to second reading.

Assembly Bill No. 160—An Act to amend section two thousand six hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved February 28, 1883, relating to roads and highways.

Read first time, and ordered to second reading.

Assembly Bill No. 255—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read first time, and ordered to second reading.

Senate Bill No. 17—An Act to amend sections eight, nine, ten, and twelve of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883.

Read first time, and ordered to second reading.

Assembly Bill No. 225—An Act to amend an Act to prevent hunting, etc., on inclosed lands.

Read first time, and ordered to second reading.

Assembly Bill No. 41—An Act to amend section eight hundred and forty-one of the Civil Code, relating to partition fences.

Read first time, and ordered to second reading.

Assembly Bill No. 154—An Act to encourage the planting and cultivation of forest trees.

Mr. Henry moved to refer to Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry.

Lost.

Refused first reading.

Assembly Bill No. 156—An Act to appropriate thirty-four thousand four hundred and nineteen dollars and forty cents.

Read first time, and ordered to second reading.

SECOND READING OF BILLS.

Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit or otherwise.

Read second time.

Mr. Munday moved to make the bill the special order for Friday, February 6, 1885, at two o'clock P. M.

So ordered.

Assembly Bill No. 262—An Act providing for the construction of a public morgue in the City and County of San Francisco.

Read second time.

Mr. Loud moved to strike out section one.

Lost.

Ordered engrossed, and to be read the third time.

Assembly Bill No. 110—An Act to amend section eight hundred and forty-six of the Code of Civil Procedure, relative to the issuance of alias summons in Justices' Courts.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 58—An Act to amend section one thousand eight hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to relations which disqualify persons from being witnesses in certain cases.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 32—An Act to amend "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known as section nine hundred and eighty-seven, relating to the lien created upon real estate by the filing of a notice of the pendency of an action against the owner thereof upon an official bond.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 57—An Act to amend section one thousand three hundred and twenty-two of an Act entitled "An Act to establish a

Penal Code," approved February 14, 1872, relating to the competency of a wife or husband to be a witness in certain cases.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 111—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Read second time.

The Committee on Judiciary offered to amend, as follows: In section one, after the words "tan, fan-fan, stud-horse poker, seven and a half," down to the words "or any banking or percentage game," insert the words "twenty-one."

So ordered.

The committee offered to further amend, by striking out section two.

So ordered.

Bill ordered engrossed, and to be read third time.

RECONSIDERATION.

On motion of Mr. Ellison, the vote ordering Assembly Bill No. 110 to be engrossed, and to be read the third time, was reconsidered.

The Committee on Judiciary offered amendment to the bill, by striking out in section one all after the words "form as the original;" also, to strike out section two.

The committee amendments were adopted.

The bill was then ordered engrossed, and to be read the third time.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 79—An Act to amend section one thousand two hundred and forty-six of the Penal Code, relating to appeals to the Supreme Court.

Read second time.

Mr. Firebaugh moved to strike out the enacting clause.

So ordered.

Assembly Bill No. 245—An Act amendatory of an Act entitled "An Act to form agricultural districts, and to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," so as to create a new district out of Fresno and Tulare Counties.

Read second time.

Mr. Ashe moved to amend as follows: In section two, line three, strike out the word "and" between the words "Fresno and Tulare," and after the word "Tulare" insert the words "and Kern."

Lost.

Also, in section three, strike out all after the word "follows," in first line, and insert instead, as follows: "In the County of Fresno, in the year eighteen hundred and eighty-five, in the County of Tulare, in the year eighteen hundred and eighty-six, and in the County of Kern, in the year eighteen hundred and eighty-seven, and thereafter alternately in the same order as above; *provided*, that whenever either of said counties shall fail to hold a fair, as herein provided, the appropriation allowed by law shall be awarded to the county holding a fair, or divided equally between the other two counties in case fairs are held in both."

Lost.

Mr. Henry moved to reconsider the vote by which the amendments of Mr. Ashe were lost.

So ordered.

The amendments of Mr. Ashe were then adopted.

Bill ordered engrossed, and to be read the third time.

Assembly Bill No. 265—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read second time.

Mr. Carter moved to amend, by striking out "fifteen" and inserting "sixteen."

So ordered.

Bill ordered engrossed, and to be read the third time.

Assembly Bill No. 264—An Act to provide for the organization of county agricultural associations, and for the management of same by State.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Heath, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 264—An Act to provide for the organization of county agricultural associations, and for the management of the same by the State.

Speaker Parks in the chair.

RECESS.

At twelve o'clock and thirty minutes, the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Heath, the House went into Committee of the Whole, for the purpose of further considering Assembly Bill No. 264—An Act to provide for the organization of county agricultural associations, and for the management of the same by the State.

Speaker Parks in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No 264—An Act to provide for the organization of county agricultural associations, and for the management of the same by the State—and now report it back, and recommend its passage as amended.

Report received.

The amendments made in the Committee of the Whole were concurred in.

Bill ordered engrossed, and to be read third time.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 104—An Act to amend section two thousand six hundred and fifty-two of the Political Code, in relation to disposition of road poll tax.

Read second time, ordered engrossed, and to be read third time.

SPECIAL ORDER.

The time for the consideration of special orders for two o'clock P. M. this day having arrived, Assembly Bill No. 24—An Act to regulate and improve the civil service of the State of California—was taken up.

The question being upon the first reading of the bill, the roll call was demanded by Messrs. Weaver, Corcoran, and Long.

The bill was ordered read first time by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Solano, Coleman, Culver, Davis, Douglas, Ellison, Firebaugh, French, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Lafferty, Laughlin, Long, Loud, McGlashan, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, and Woodward—48.

NOES—Messrs. Ashe, Barnett, Beard, Black, Britt, Clark, Colby, Cook, Corcoran, Daley, Deveny, DeWitt, Dooling, Franklin, Gregory, May, McDonald, McJunkin, Torrey, Van Voorhies, Watson of El Dorado, Whitcomb, and Mr. Speaker—23.

Bill read first time, and ordered to second reading.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Read second time.

Passed on the file.

Assembly Bill No. 27—An Act to add two new sections to "An Act to establish a Political Code," to be numbered, respectively, three thousand one hundred and twelve and three thousand one hundred and thirteen, in relation to the duties and powers of Boards of Supervisors over cemeteries and places of burial situated in unincorporated towns or villages in this State, and to authorize them to prevent further interments therein, and to provide for the removal of bodies therefrom, when the sanitary conditions of such towns are endangered by them.

Read second time.

The Committee on County and Township Governments offered to amend the bill, as follows: Amend section three thousand one hundred and thirteen, so as to read as follows:

Section 3113. Whenever in the opinion of the Board of Supervisors, after investigation upon petition presented to them for that purpose, signed by ten inhabitants and property owners of the county, it satisfactorily appears that the location and maintenance of a cemetery or place of burial, wherein are interred the remains of human beings, situated in or near any

unincorporated town or village in this State, endangers the sanitary condition of the inhabitants of such town or village, or any considerable number of the inhabitants residing in the vicinity of such cemetery, it shall be the duty of said Board of Supervisors to order, provide for, or permit the removal of such bodies from said cemetery, and their reburial in some other cemetery or burial ground.

So ordered.

The committee offered to further amend, by striking out all of section two.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 30—An Act to provide for the inspection of steam boilers, licensing steam engineers, and for the better protection and security of life and property in the State of California.

Read first time, and ordered to second reading.

Assembly Bill No. 16—An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874, providing for a change and the establishment of the boundaries thereof, the same to include therein portions of the Counties of Fresno and Merced, and to provide for the payment of the portions of the debts of said counties equitably chargeable to San Benito County.

Read first time, and ordered to second reading.

Assembly Bill No. 248—An Act to amend section one hundred and twelve of "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to the duties of County Clerk.

Read first time, and ordered to second reading.

Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of the County Government Bill, authorizing the Board of Supervisors to allow certain deputies.

Read first time, and ordered to second reading.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the boundaries of Lake County.

Mr. Colby moved the previous question.

So ordered.

Read second time.

Mr. Britt offered the following amendment: Amend, by striking out, on page two of printed bill, all from and including the word "thence," on line fifteen, down to and including the word "twenty-nine," on line nineteen, and insert in lieu thereof, the following:

Thence northeasterly in a direct line to the junction of Jericho and Putah Creeks, thence up Jericho Creek to the junction of Hunting Creek, in Jericho Valley; thence up Hunting Creek to a large pile of rocks on the southeasterly side of the county road at the lower and most easterly end of Hunting Valley; thence in a straight line in the direction of the intersection of Bear and Cache Creeks, to the county line of Yolo County.

So ordered.

Mr. Henley moved to amend as follows: In the fourth line strike out all after "Mount Hull" down to line fourteen, and insert "near

Mount St. John on the western line of Colusa, and forming the northeast corner of Lake, and east corner of Mendocino; thence southerly and circuitously by the summit line of the Mayacmas Range, being the dividing ridge between the waters flowing into Russian and Eel Rivers, and those flowing easterly into Clear Lake, to the summit."

Mr. Yule moved the previous question.

So ordered.

The question then being upon the adoption of the amendment offered by Mr. Henley, it was lost.

Ordered engrossed, and to be read third time.

Assembly Bill No. 243—An Act to enlarge the duties of the Board of Viticultural Commissioners.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 164—An Act to amend section one thousand six hundred and sixty-four of the Political Code, relating to public schools.

Refused second reading.

Assembly Bill No. 190—An Act to amend section two thousand six hundred and forty-two, and repeal section two thousand six hundred and forty-four of the Political Code, in relation to the election of Road Overseers.

Read second time.

The Committee on County and Township Governments offered to amend, as follows: Amend the title by striking out the word "repeal," in the second line, so as to make it read as follows:

An Act to amend section two thousand six hundred and forty-two and section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the election of Road Overseers.

So ordered.

The committee offered to further amend, as follows: Amend section two by striking out the words "hereby repealed" so as to make it read:

SEC 2. Section two thousand six hundred and forty-four is amended to read as follows.

2644. The Overseers of road districts must, within ten days after the issuance to them of certificates of election, give an official bond in such sum as the Board of Supervisors shall require, which said bond must be approved by a Judge of the Superior Court. The certificates of election and certificate that the bond has been approved and filed, and the oath taken and indorsed thereon, or a certified copy thereof, constitute a Commission, and authorize the persons named therein and holding the same, to discharge the duties of Road Overseers.

So ordered.

Mr. Goucher moved to amend, by adding the words "or appointed" after the words "were elected," at the end of section one.

So ordered.

Bill ordered engrossed, and to be read the third time.

NOTICE OF RECONSIDERATION.

Mr. Walrath gave notice that he would move, to-morrow, Thursday, a reconsideration of the vote on Assembly Bill No. 164.

Assembly Bill No. 69—An Act to provide for a poor fund and regulate its disbursement.

Read second time.

The Committee on County and Township Governments offered the following amendment: Amend section one so as to read as follows:

SECTION 1. The Boards of Supervisors of the various counties of this State, excepting counties of the first class, are authorized to cause annually to be levied and collected, at the same time and in the same manner as State and county taxes are levied and collected, a tax not exceeding three cents on each one hundred dollars of the taxable property of their respective counties, for the purpose of providing a fund for the assistance of such deserving residents or inhabitants of their counties as are, in the judgment of the Board, in needy or destitute circumstances

Mr. Firebaugh moved to amend the amendment, by inserting after the word "State," the following: "Except in any city or city and county of the first class."

So ordered.

The committee amendment, as amended by Mr. Firebaugh, was then adopted.

The committee further offered to amend, by striking out section three.

So ordered.

Also, to further amend, by numbering section four of the original bill, section three, and what is section five in original bill, section four.

So ordered.

Bill ordered engrossed, and to be read the third time.

ADJOURNMENT.

At four o'clock P. M., on motion of Mr. May, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 5, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

ANNOUNCEMENT OF COMMITTEE.

The Speaker announced, that in accordance with the resolution introduced by Mr. French, he would appoint as the committee Messrs. French, Hollister, Long, May, and Coleman.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bill No. 262—An Act providing for the construction of a public morgue in the City and County of San Francisco.

Also, Assembly Bill No. 110—An Act to amend section eight hundred and forty-six of the Code of Civil Procedure, relating to the issuance of alias summons in Justices' Courts.

Also, Assembly Bill No 58—An Act to amend section one thousand eight hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to relations which disqualify persons from being witnesses in certain cases.

Also, Assembly Bill No. 32—An Act to amend "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known as section nine hundred and eighty-seven, relating to the lien created upon real estate by the filing of a notice of the pendency of an action against the owner thereof upon an official bond

Also, Assembly Bill No. 57—An Act to amend section one thousand three hundred and twenty-two of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the competency of a wife or husband to be a witness in certain cases.

Also, Assembly Bill No. 111—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Also, Assembly Bill No. 245—An Act amendatory of an Act entitled "An Act to form agricultural districts, and to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," so as to create a new district out of Fresno and Tulare Counties.

Also, Assembly Bill No. 265—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

DEVENY, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 330—An Act to amend section two thousand five hundred and twenty-five of the Political Code, relating to the Board of State Harbor Commissioners, their powers and duties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LOVELL, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885

MR SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 7—Relative to the Legislative Department—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HEATH, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1885.

MR. SPEAKER. Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 44—An Act to amend section eighty of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 362—An Act authorizing the Board of Supervisors of any county, or any subdivision of a county, having a bonded debt, to refund such debt at a less rate of interest—have had the same under consideration, and respectfully report the same back, and recommend that it pass.

EDWARDS, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 157—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure of the State of California—recommend that it do pass as amended.

Also, Assembly Bill No. 35—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations"—recommend passage of substitute herewith.

Also, Assembly Bill No. 155—An Act to amend section two hundred and twenty-four of the Civil Code, concerning the adoption of children—recommend that it do pass.

Also, Assembly Bill No. 185—An Act to amend section one thousand one hundred and seventy of the Penal Code of the State of California, relating to exceptions that may be taken by the defendant on the trial of an indictment or information—recommend that it do pass.

Also, Assembly Bill No 8—An Act to amend section three hundred and thirty-two of the Civil Code, to provide for the levying assessments by corporations—recommend that it do pass.

Also, Assembly Bill No. 260—An Act to amend section two hundred and twenty-six of the Civil Code, relating to the adoption of children—recommend that it do pass.

Also, Assembly Bill No. 183—An Act to fix the place of publication of summons and other legal notices—recommend that it do not pass.

Also, Assembly Bill No. 197—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding thereto a new section, to be numbered section five hundred and forty-one—recommend that it do not pass.

ELLISON, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1885.

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Concurrent Resolution No. 10—Relative to adulterations of articles of food—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

Also, Assembly Bill No. 280—An Act to provide for the further and better protection of purchasers against short weight in coal.

Also, Assembly Bill No. 297—An Act to amend the Code in relation to the taxation of ferry boats, and all water craft.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also, Assembly Bill No. 120—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section two thousand five hundred and fifty-four, relating to the collection of wharfage on merchandise by the Board of State Harbor Commissioners—report the same back, without recommendation.

LOVELL, Chairman.

ON YOSEMITE VALLEY AND MARIPOSA GROVE OF BIG TREES AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885.

MR. SPEAKER: Your Committee on Yosemite Valley, Big Trees, and Forestry, to whom was referred Assembly Bill No. 350—An Act to authorize the construction, furnishing, and leasing of a hotel in Yosemite Valley, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

LONG, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1885.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 249—An Act to amend sections three hundred and thirty-nine, three hundred and forty, three hundred and forty-one, and three hundred and forty-three of the Penal Code, relative to pawnbrokers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No. 311—An Act to authorize the Chief of Police of any city, or city and county, to appoint an interpreter of the Italian language and dialects in criminal proceedings in said cities, and cities and counties—have had the same under consideration, and respectfully report the same back, without recommendation.

Also, Assembly Bill No. 310—An Act compelling pawnbrokers to furnish a description of personal property upon which money has been loaned—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

FRENCH, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1885.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bills Nos. 77, 124, and 125—having had the same under consideration, beg leave to report the same back, and recommend that they do severally pass.

Also, Assembly Bill No. 166—An Act providing for the contingent expenses of the Controller for the thirty-seventh and thirty-eighth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

MAY, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 269—An Act to establish a State School of Industry, and to provide for the organization and government thereof, and the making of appropriation thereof—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend the passage of the substitute.

Also, Assembly Bill No. 252—An Act to amend the Civil Code, by adding to part four, division first, a new title, providing for the incorporation of colleges and seminaries of learning—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No. 421—An Act to amend sections one, two, five, and eight of an Act approved March 3, 1883, entitled "An Act to amend an Act entitled 'An Act to create Hastings College of the Law, in the University of the State of California,'" approved March 26, 1878—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

JORDAN, Chairman.

MATTER OF URGENCY.

Mr. Jordan moved that, in accordance with the provisions of the Constitution, Assembly Bill No. 421 be made a matter of urgency, and that the provision of the Constitution requiring the reading of a bill on three separate days be suspended, and that the bill be put upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Clark, Colby, Coleman, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Woodward, Yule, and Mr. Speaker—67.

NOES—Messrs. Carter of Solano, Roseberry, and Torrey—3.

Bill read first time.

Bill read second time.

The Committee on Education offered to amend as follows: Amend section four, by inserting the words "according to the terms of the original foundation."

So ordered.

Also, to amend section five, by striking out the entire section.

So ordered.

Bill ordered engrossed, and to be read third time.

LEAVE OF ABSENCE TO COMMITTEE.

The Committee on Public Buildings and Grounds was granted leave of absence until Tuesday next.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885.

MR SPEAKER: Your Committee on Public Printing, to whom was referred Senate Concurrent Resolution No. 16—Relative to printing astronomical reports of the Lick Observatory—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PYLE. Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 212—An Act to amend section four hundred and nineteen of the Civil Code—recommend that it do pass.

Also, Assembly Bill No. 279—An Act to authorize the Board of Directors of the Veterans' Home Association to transfer the property in their possession to the Federal Government—recommend that it do pass.

Also, Assembly Bill No 333—An Act to amend section nine hundred and fifty-two of the Code of Civil Procedure—recommend that it do pass.

Also, Assembly Bill No. 299—An Act to add a new section to the Penal Code, to be known as section three hundred and ten, relating to selling liquor to patients in county hospitals—recommend that it do pass, as amended.

Also, Assembly Bill No. 272—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, numbered three hundred and thirty-seven, for the punishment of certain persons who encourage gaming—recommend that it do pass.

Also, Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883—recommend passage of substitute herewith.

Also, Assembly Bill No. 287—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, concerning mortgages of personal property—recommend it do pass, as amended.

Also, Assembly Bill No 258—An Act to amend section four thousand four hundred and eight of the Political Code, relating to the powers of the Common Council of cities—recommend that it do pass.

Also, Assembly Bill No. 324—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand two hundred and sixty-eight, relating to escheats—recommend that it do pass.

Also, Assembly Bill No. 210—An Act to regulate the fees of jurors—recommend that it do not pass.

Also, Assembly Bill No. 162—An Act fixing the per diem fees for jurors serving on Coroners' juries of inquest, and on the trial of criminal cases in Justices' Courts, and providing the method of paying the same—recommend that it do not pass.

Also, Assembly Bill No. 141—An Act to repeal an Act entitled "An Act establishing the Code of Civil Procedure of the State of California," adopted March 11, 1872, in relation to the abolishment of those offices known as City Justices of the Peace, and providing for the establishment of a new section of the Code of Civil Procedure, to be known as one hundred and three—recommend that it do not pass.

Also, Assembly Bill No. 298—An Act to add a new section to the Political Code, to be designated as section one thousand and eighty-five, relating to patients in county hospitals voting—recommend that it do not pass.

Also, Assembly Bill No. 240—An Act relating to fees to be collected for services rendered in cases pending in any Court, Executive Department, or Land Office of the United States—recommend that it do not pass

Also, Assembly Bill No. 282—An Act to amend section seven of an Act entitled "An Act to create an additional Police Judges' Court for the City and County of San Francisco, to define its powers and jurisdiction," approved March 7, 1881—recommend that it do not pass.

Also, Assembly Bill No 59—An Act to prevent bribery at elections—recommend that it do not pass.

Also, Assembly Bill No. 241—An Act to add a new section to the Political Code, to be known as section three thousand three hundred and forty-six, relating to the power of Boards of Supervisors of any city and county, or city, or town, having a population of one hundred thousand or more people in this State, to make annual appropriation for the purpose of keeping in order burial grounds exclusively devoted to the interment of the deceased members of any organized order of exempt firemen therein—recommend that it do not pass.

Also, Assembly Bill No. 259—An Act to amend section one thousand five hundred and fifteen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872—recommend that it do not pass.

ELLISON, Chairman.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1885.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the Assembly Resolution, relative to Rule XLVI.

Resolved, That Rule XLVI of the Standing Rules of this Assembly be amended, so as to read as follows

XLVI.—MOTION TO ADJOURN.

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

Have had the same under consideration, and respectfully report the same back, without recommendation.

WEAVER, Chairman.

Mr. Douglas moved the previous question.

So ordered.

The question then being upon the adoption of the resolution, the roll call was demanded by Messrs. Coleman, Henley, and Loud.

The resolution was lost by the following vote:

AYES—Messrs. Banbury, Barnett, Beard, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Corcoran, DeWitt, Goucher, Gregory, Henley, Johnson, Loud, McJunkin, Moffitt, Munday, Pellet, Porter, and Watson of El Dorado—20.

NOES—Messrs. Almy, Barnes, Britt, Buhlert, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Laughlin, Long, Lovell, May, McDonald, McMurray, Mears, Pyle, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Yule—42.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1885.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred Assembly Bill No 296—An Act to add a new section to the Political Code, to be numbered two hundred and forty-one, providing for the assignment of seats in the chambers of the Senate and Assembly, respectively, among the members of the Legislature—have had the same under consideration, and now report the same back, and recommend that it do not pass.

WEAVER, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 403—An Act to establish a branch State Normal School—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

JORDAN, Chairman.

Mr. Yule moved to make Assembly Bill No. 403 special order for Friday, February 6, 1885, at two o'clock and thirty minutes P. M.

So ordered.

RE-REFERENCE OF BILL.

On motion of Mr. Long, Assembly Bill No. 438 was taken from Committee on Judiciary and referred to Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Munday: Assembly Bill No. 439—An Act to amend section one thousand two hundred and seventy-nine of the Civil Code of the State of California, in relation to conjoint or mutual wills.

Referred to Committee on Judiciary.

By Mr. Douglas: Assembly Bill No. 440—An Act to encourage the destruction of seals and sea lions.

Referred to Committee on Crimes and Penalties.

Also, Assembly Bill No. 441—An Act for the safety of lives.

Referred to Committee on Crimes and Penalties.

By Mr. Jordan: Assembly Bill No. 442—An Act making it the duty of the Secretary of State to furnish all public libraries with copies of State documents.

Referred to Committee on Education.

Also, Assembly Bill No. 443—An Act to amend section one thousand four hundred and ninety of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the meeting of the Board of Trustees of the State Normal School.

Referred to Committee on Education.

Also, Assembly Bill No. 444—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section one thousand five hundred and nine, relating to the branch State Normal School of California.

Referred to Committee on Education.

Also, Assembly Bill No. 445—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section one thousand five hundred and eight, fixing the mileage to be allowed to the Board of Trustees of the State Normal School while attending the meetings of the Board.

Referred to Committee on Education.

By Mr. Hazard: Assembly Bill No. 446—An Act to amend sections three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and four thousand two hundred and thirty-six of the Political Code.

Referred to Committee on Judiciary.

By Mr. Morris: Assembly Bill No. 447—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and eighty-six, and seven hundred and eighty-nine of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

By Mr. McMurray: Assembly Bill No. 448—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

Referred to Committee on Claims.

By Mr. Lovell: Assembly Bill No. 449—An Act to amend section one thousand and eighty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1882, relating to the qualification of voters.

Referred to Committee on Elections.

Also, Assembly Bill No. 450—An Act to abolish all Commissioners, or Boards of Commissioners, heretofore created or appointed to construct or to complete the construction of any building or edifice for any county, or city and county, and providing for the Boards of Supervisors, or other governing body, of any county, or city and county,

constructing or completing the construction of any building authorized to be erected for county, or city and county, uses, and repealing all conflicting Acts heretofore passed.

Referred to Committee on Municipal Corporations.

By Mr. Cook: Assembly Bill No. 451—An Act to fix the number of Justices of the Peace and Constables in the several counties of this State, and to regulate and fix their compensation.

Referred to Committee on Judiciary.

By Mr. McJunkin: Assembly Bill No. 452—An Act to prevent the sale of children.

Referred to Committee on Crimes and Penalties.

By Mr. Henley: Assembly Bill No. 453—An Act to amend section one hundred and nineteen of an Act entitled "An Act to establish a uniform system of county and township governments," relative to the counting of money in the County Treasury.

Referred to the Committee on County and Township Governments.

By Mr. Almy: Assembly Bill No. 454—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Referred to Committee on County and Township Governments.

By Mr May: Assembly Bill No. 455—An Act making an appropriation for the deficiency in the appropriation for official advertisements for the thirty-sixth fiscal year.

Referred to Committee on Ways and Means.

By Mr. McDonald: Assembly Bill No. 456—An Act to secure the payment of workmen for the labor performed or material furnished, either by contract or otherwise.

Referred to Committee on Labor and Capital.

By Mr. Buhlert: Assembly Bill No. 457—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure.

Referred to Committee on Judiciary.

CONSTITUTIONAL AMENDMENTS.

By Mr. Henley: Constitutional Amendment No. 14—Proposed amendment to sections twenty-two, twenty-three, and twenty-four, of article twelve, of the Constitution, in relation to the Railroad Commissioners.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Daley:

WHEREAS, Charges having been made that certain officials and contractors employed by the State Board of Harbor Commissioners, and engaged in the construction of the seawall at San Francisco, are violating the eight hour law of this State in intimidating their employés, and compelling them to patronize boarding houses in which said contractors are interested, and otherwise setting the laws of the State at defiance; also, that said contractors are not executing their contracts as required by their specifications; therefore,

Resolved, That the Committee on Labor and Capital be and they are hereby instructed to investigate these charges, and such others as may be preferred by workingmen and property owners, against the said seawall contractors, and to report to this Assembly, and for this purpose said committee is empowered to send for persons and papers.

Mr. Corcoran moved to indefinitely postpone the consideration of the resolution.

Lost.

Mr. McDonald moved to refer the resolution to Committee on Labor and Capital.

So ordered.

By Mr. Buhlert:

Resolved, That the Clerk is hereby instructed to compile weekly the history of all Assembly Bills, and have the same printed for the use of the members of the Assembly.

So ordered.

By Mr. Gregory:

Resolved, That on and after the fifteenth of February no bills be introduced in the Assembly.

Referred to Committee on Rules.

By Mr. McMurray:

Resolved, That the Controller be authorized to draw his warrant in favor of Jerome B. Porter, the Sergeant-at-Arms of this Assembly, for the sum of nineteen dollars and twenty cents, for mileage and fee for service of subpœna on the County Clerk of Alameda County, in the matter of the contested election case of Tyler vs. Morris.

Referred to Committee on Mileage.

MOTIONS.

Mr. Allen moved to reinstate the Clerk of the Committee on Labor and Capital.

So ordered.

Mr. Munday moved that the substitute to Assembly Bill No. 307 be printed.

So ordered.

SPECIAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 123—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, which may be incurred under section forty-seven of the Code of Civil Procedure, during the thirty-fifth and thirty-sixth fiscal years.

Read first time, and ordered to second reading.

Assembly Bill No. 161—An Act to provide for the deficiency in the appropriation for the salary of Clerk of the Supreme Court during the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 199—An Act making an appropriation for the deficiency in the appropriation for expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the thirty-second fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 201—An Act making an appropriation for the deficiency in the appropriation for the payment of rewards offered by the Governor for the thirty-first fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 202—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirtieth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 203—An Act making an appropriation for the

deficiency in the appropriation for traveling expenses of the Railroad Commissioners for the thirty-third fiscal year.

Withdrawn by consent of the House.

Assembly Bill No. 204—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses of Clerk of Supreme Court for the thirty-second fiscal year.

Withdrawn by consent of the House.

THIRD READING OF BILLS.

Assembly Bill No. 76—An Act making appropriation for a deficiency in the appropriation for the salary of the Clerk of the State Board of Equalization for the thirty-fifth and thirty-sixth fiscal years.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Solano, Clark, Colby, Coleman, Cook, Daley, Davis, DeWitt, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Munday, Patterson, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, Woodward, and Mr. Speaker—56.

NOES—None.

Title approved.

Assembly Bill No. 90—An Act making an appropriation for the deficiency in the appropriation for arrest of criminals inside the limits of the State for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Culver, Davis, Dooling, Edwards, Ellison, Firebaugh, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Jones, Jordan, Lafferty, Laughlin, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Patterson, Pellet, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Weaver, Wood, Woodward, and Mr. Speaker—53.

NOES—None.

Title approved.

Assembly Bill No. 91—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Culver, Daley, Davis, Dooling, Ellison, Firebaugh, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, Moffitt, Morris, Patterson, Pellet, Russ, Sullivan, Torrey, Walrath, Watson of Alameda, Ward of Butte, Wood, Woodward, and Mr. Speaker—51.

NOES—None.

Title approved.

Assembly Bill No. 92—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Carter of Contra Costa, Carter of Solano, Clark, Colby, Daley, Davis, Deveny, Dooling, Ellison, Firebaugh, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Munday, Pellet, Porter, Russ, Watson of Alameda, Ward of Butte, Weaver, Wood, and Mr. Speaker—50.

NOES—None.

Title approved.

Assembly Bill No. 93—An Act making an appropriation for the deficiency in the appropriation for purchase of Supreme Court Reports for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Daley, Davis, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Pellet, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, and Mr. Speaker—57.

NOES—None.

Title approved.

Assembly Bill No. 95—An Act making an appropriation for the deficiency in the appropriation for the support of the Insane Asylum at Stockton for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Beard, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Russ, Sullivan, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, and Mr Speaker—55.

NOES—None.

Title approved.

Assembly Bill No. 96—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Napa for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Daley, Davis, DeWitt, Dooling, Douglas, Ellison, Firebaugh, French, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, and Woodward—50.

NOES—None.

Title approved.

Assembly Bill No. 97—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at San Quentin for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Daley, Davis, DeWitt, Dooling, Firebaugh, Goucher, Hazard, Heath, Henry, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Woodward, and Mr. Speaker—49.
NOES—None.

Title approved.

Assembly Bill No. 98—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Surveyor-General for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Culver, Daley, Davis, DeWitt, Dooling, Douglas, Firebaugh, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Wood, Woodward, and Mr. Speaker—50.
NOES—None.

Title approved.

Assembly Bill No. 99—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Attorney-General for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Deveny, DeWitt, Dooling, Douglas, Ellison, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—58.
NOES—None.

Title approved.

Assembly Bill No. 100—An Act making an appropriation for the deficiency in the appropriation for copying maps in the office of the Surveyor-General for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Deveny, DeWitt, Dooling, Douglas, Ellison, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of El Dorado, Ward of San Francisco, Weaver, Wood, and Woodward—53.
NOES—None.

Title approved.

Assembly Bill No. 101—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in the office of the Superintendent of Public Instruction for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Pyle, Russ, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—56.
NOES—None.

Title approved.

Assembly Bill No. 102—An Act making an appropriation for the deficiency in the appropriation for contingent expenses of the State Board of Equalization for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Culver, Davis, Deveny, Dooling, Douglas, Edwards, French, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Munday, Russ, Sullivan, Walrath, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—57.
NOES—None.

Title approved.

Assembly Bill No. 103—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Clerk of the Supreme Court for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Culver, Davis, Deveny, Dooling, Douglas, Edwards, Firebaugh, French, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Munday, Russ, Sullivan, Van Voorhies, Walrath, Watson of El Dorado, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—53.
NOES—None

Title approved.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 105—An Act to amend sections one thousand two hundred and three and one thousand two hundred and four of the Political Code, relating to election tickets and ballots.

Passed on file.

FIRST READING OF BILLS.

Assembly Bill No. 122—An Act to amend subdivision twenty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Read second time.

Substitute of the committee read and adopted.

Bill ordered engrossed, and to be read the third time.

Assembly Bill No. 106—An Act to establish a State detective force for the better enforcement of the laws.

Read second time.

The Committee on Crimes and Penalties offered amendment, as follows: In section four, after words "the amount of such bonds to be," strike out the words "fixed and approved by the Governor," and insert "five thousand dollars for the Chief, and three thousand each for the Secretary and subordinate members."

So ordered.

Mr. Britt moved that the enacting clause of the bill be stricken out.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

SPECIAL ORDER.

The time for the consideration of special orders for two o'clock P. M. this day having arrived, Assembly Bill No. 148—An Act to amend section nine of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878—was taken up.

Mr. May moved that the enacting clause be stricken out.

The roll call was demanded by Messrs. Clark, Barnett, and Weaver.

The motion was lost by the following vote:

AYES—Messrs. Beard, Cook, Jordan, Long, Loud, May, Walrath, Wood, and Mr Speaker—9.

NOES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Corcoran, Daley, Davis, Deveny, Dooling, Douglas, Edwards, Ellison, Franklin, French, Goucher, Gregory, Hazard, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Kalben, Lafferty, Laughlin, Lovell, McClashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Woodward, and Yule—62.

The bill was ordered engrossed, and to be read third time.

RECONSIDERATION.

Mr. Walrath moved to reconsider the vote by which Assembly Bill No. 164 was refused a second reading.

Mr. Walrath moved the previous question.

So ordered.

The question then recurring on the motion of Mr. Walrath, the motion was lost.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 105—An Act to amend sections one thousand two hundred and three and one thousand two hundred and four of

the Political Code, relating to election tickets and ballots—which was passed on the file at this morning's session, was taken up.

Mr. Beard moved to refer the bill to its author, as a special committee, with instructions to revise, so that it shall apply only to cities of the first class.

Lost.

Mr. Douglas moved the previous question.

So ordered.

The question then recurring on the passage of the bill, the roll was called, and the bill passed by the following vote:

AYES—Messrs Almy, Banbury, Barnes, Buhlert, Daley, Davis, Deveny, Douglas, Edwards, Firebaugh, Franklin, French, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben Lafferty, Loud, Lovell, May, McGlashan, McJunkin, McMurray, Mears, Morris, Porter, Pyle, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Yule, and Mr. Speaker—42.

NOES—Messrs. Allen, Ashe, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, DeWitt, Dooling, Ellison, Goucher, Gregory, Hazard, Henley, Henry, Laughlin, Long, McDonald, McLean, Moffitt, Munday, Patterson, Pellet, Reeves, Roseberry, Torrey, Van Voorhies, Watson of El Dorado, and Woodward—35.

SECOND READING OF BILLS—(RESUMED).

The further consideration of Assembly Bill No. 106—An Act to establish a State detective force for the better enforcement of the laws—was resumed.

The question being on a motion to strike out the enacting clause, it was so ordered.

Assembly Bill No. 78—An Act supplementary to an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. May, the House went into Committee of the Whole for the purpose of considering Assembly Bill No. 78—An Act supplementary to an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880.

Speaker Parks in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No. 78—An Act supplementary to an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880—and now report it back, and recommend its passage as amended.

Report received, bill ordered engrossed, and to be read third time.

Assembly Bill No. 163—An Act to eradicate glanders and farcy, a

disease among horses and other animals, and to empower the several County Boards of Supervisors of this State to create the office of County Veterinary Surgeon, and to provide for his compensation, and define his powers and duties.

Mr. Carter of Contra Costa moved that the bill be referred to the Committee on Agriculture, with instructions to revise their amendments.

So ordered.

Assembly Bill No. 86—An Act to encourage apprentices.

Mr. Weaver moved the previous question.

So ordered.

The question then recurring on the second reading of the bill, the roll call was demanded by Messrs. Gregory, Reeves, and Yule.

The bill was ordered read second time by the following vote:

AYES—Messrs Allen, Banbury, Barnes, Beard, Black, Britt, Carter of Solano, Clark, Coleman, Corcoran, Dooling, Douglas, Ellison, Firebaugh, French, Gregory, Heath, Henley, Henry, Hollister, Hunt, Hussey, Jones, Long, Lovell, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Reeves, Roseberry, Swayne, Torrey, Walrath, Ward of Butte, and Yule—40.

NOES—Messrs. Almy, Ashe, Carter of Contra Costa, Colby, Cook, Davis, DeWitt, Edwards, Goucher, Hazard, Jordan, Kalben, Laughlin, Loud, May, McDonald, Pyle, Russ, Watson of Alameda, Watson of El Dorado, Wood, Woodward, and Mr. Speaker—23.

Bill read second time.

Mr. Britt moved to amend, as follows: Strike out of section one, line two, the word "three," and insert instead, the word "four."

Lost.

Mr. Britt moved to further amend, as follows: Strike out of section one, in lines four and five, the words "two hundred and fifty," and insert instead, the words "one hundred and twenty-five."

Lost.

Mr. Jordan moved to strike out the enacting clause.

Mr. McMurray moved the previous question.

So ordered.

The question then recurring on the motion of Mr. Jordan to strike out the enacting clause, the roll call was demanded by Messrs. Carter of Solano, Moffitt, and Gregory.

The motion was lost by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Carter of Contra Costa, Colby, Cook, Corcoran, DeWitt, Ellison, Firebaugh, Hazard, Jones, Jordan, Laughlin, Loud, May, McJunkin, McLean, McMurray, Mears, Pyle, Russ, Watson of Alameda, Watson of El Dorado, Weaver, Wood, and Woodward—30.

NOES—Messrs. Barnett, Beard, Black, Carter of Solano, Clark, Coleman, Davis, Douglas, Franklin, French, Goucher, Gregory, Heath, Henley, Hollister, Hunt, Hussey, Long, Lovell, McDonald, McGlashan, Moffitt, Morris, Munday, Pellet, Porter, Reeves, Torrey, and Ward of Butte—30.

Mr. Mears moved to amend, as follows: Insert in section one, line one, after the words "every young man," the words "every young woman."

So ordered.

Mr. Jordan moved to amend, as follows: Add to section one, line five, "and the same shall be paid to every boy who has worked three years on a farm."

So ordered.

Mr. Britt moved to amend, as follows: Insert in section one, in line

three, after the word "some," the words "useful mechanical or agricultural."

Mr. McMurray moved to indefinitely postpone the consideration of the bill.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1885.

MR SPEAKER: Your Committee on Engrossment begs leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 264—An Act to provide for the organization of county agricultural associations, and for the management of same by State

Also, Assembly Bill No. 104—An Act to amend section two thousand six hundred and fifty-two of the Political Code, in relation to disposition of road poll tax.

Also, Assembly Bill No. 27—An Act to add two new sections to "An Act to establish a Political Code," to be numbered, respectively, three thousand one hundred and twelve and three thousand one hundred and thirteen, in relation to the duties and powers of Boards of Supervisors over cemeteries and places of burial situated in unincorporated towns or villages in this State, and to authorize them to prevent further interments therein, and to provide for the removal of bodies therefrom, when the sanitary conditions of such towns are endangered by them.

Also, Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the boundaries of Lake County

Also, Assembly Bill No. 243—An Act to enlarge the duties of the Board of Viticultural Commissioners.

Also, Assembly Bill No. 190—An Act to amend section two thousand six hundred and forty-two and repeal section two thousand six hundred and forty-four of the Political Code, in relation to the election of Road Overseers.

Also, Assembly Bill No. 69—An Act to provide for a Poor Fund and regulate its disbursement.

Also, Assembly Bill No. 421—An Act to amend sections one, two, five, and eight of an Act approved March 3, 1883, entitled "An Act to amend an Act entitled 'An Act to create Hastings College of the Law in the University of the State of California,'" approved March 26, 1878

DEVENY, Chairman.

LEAVE OF ABSENCE.

Messrs. Douglas and Lafferty were granted leave of absence until Monday.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced and referred as follows:

By Ellison: Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Mr. Coleman: Assembly Bill No. 459—An Act for the relief of Thomas W. Lathrop, ex-Sheriff of the County of San Mateo.

Referred to Committee on Claims.

By Mr McJunkin: Assembly Bill No. 460—An Act to add a new section to the Penal Code, to be known as section one hundred and eighty, entitled "An Act to regulate the practice of law in Police Courts and Police Judges' Courts in incorporated cities, and cities and counties, and to prescribe who may practice law therein.

Referred to Committee on Judiciary.

By Mr. Munday: Assembly Bill No. 461—An Act to amend sections three thousand six hundred and sixty-four, three thousand six hundred and sixty-five, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-six, three thousand seven hun-

dred and seventy-nine, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue.

Referred to Committee on Ways and Means.

By Mr. Deveny: Assembly Bill No. 462—An Act for the statute regulation of the practice of dentistry and other departments of the medical profession.

Referred to Committee on State Hospitals.

RE-REFERENCE OF BILLS.

On motion of Carter of Contra Costa, Senate Bill No. 97 was taken from Committee on Viticulture and Viniculture, and referred to Committee on Agriculture.

RESOLUTION.

By Mr. Ward of Butte:

Resolved, That Assembly Bills numbered as follows, Nos. 40, 87, 160, 190, 195, and 104, be re-referred to a joint committee of the Committees on Counties and Township Governments and Roads and Highways, to be formulated into one general bill, and be reported back to this House.

So ordered.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 177—An Act to provide for the publication of legal notices.

The question being upon the second reading, the roll call was demanded by Messrs. McJunkin, McMurray, and Walrath.

The bill was refused a second reading by the following vote:

AYES—Messrs. Almy, Banbury, Britt, Carter of Solano, Edwards, Franklin, French, Heath, Hollister, Hunt, Hussey, Long, McGlashan, McJunkin, McLean, McMurray, Reeves, Walrath, and Wood—19.

NOES—Messrs. Allen, Ashe, Barnes, Black, Carter of Contra Costa, Clark, Colby, Coleman, Cook, Corcoran, Davis, Dooling, Firebaugh, Goucher, Hazard, Jones, Jordan, Laughlin, Loud, Lovell, May, McDonald, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Russ, Swayne, Torrey, Watson of Alameda, Watson of El Dorado, Weaver, Woodward, and Mr. Speaker—37.

ADJOURNMENT.

At four o'clock and thirty-five minutes, on motion of Mr. Watson of Alameda, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 6, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Roseberry, Russ, Swayne, Torrey, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

Pending the reading of the Journal, Mr. Carter of Contra Costa moved that the further reading be dispensed with.

So ordered.

Journal approved.

LEAVE OF ABSENCE.

The Committee on Silk Culture was granted leave of absence until Monday.

Mr. Reeves was granted leave of absence for three days.

PETITION.

By Mr. Firebaugh: Petition from the San Francisco Chamber of Commerce, relative to agriculture.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER. Your Committee on Claims, to whom was referred Assembly Bill No. 321—An Act entitled "An Act for the relief of Robert McKillican."

Also, Assembly Bill No. 309—An Act entitled "An Act to appropriate money to pay the claim of William Gutenberger for mechanics tools and property destroyed at the branch State Prison at Folsom."

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

SWAYNE, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 97—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. W. T. CARTER, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 127—begs leave to report the same back, at request of the author, and that he have leave to withdraw the same.

Also, Assembly Resolution—Relative to the pay of the expert and stenographer of Committee on State Prisons—with the recommendation that it be referred to the Committee on Attachés and Employés.

MAY, Chairman.

Resolution referred to Committee on Attachés and Employés.

ON WAYS AND MEANS—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER. The undersigned, a minority of the Committee on Ways and Means, beg leave to dissent from the views of the majority, as expressed in their report recommending that

Assembly Bill No. 166—Entitled "An Act providing money for the contingent expenses of the Controller"—do not pass, and respectfully submit the following.

First—The object of the bill is self-evident It aims to enable the Controller to follow up the investigations into official wrong-doing which have already discovered stealings amounting to one hundred and sixty-seven thousand five hundred and eighty-seven dollars and seventy-seven cents, and have sent two of the malefactors to the State Prison.

It needs no argument to convince any investigating mind that roguery in office should cease. If that be true, there is the corollary tone that, if rogues are in office, plying their vocations, robbing the treasuries of the hard earnings of the taxpayers, that fact should be uncovered, the rogues driven into disgrace, and their stealings recovered. This can only be done by an examination of their books. This is the especial province of a man having the courage and integrity to attack and dig up by the roots official rascalities wherever found.

Now such a man occupies the important position of Controller. His official acts speak for themselves. From end to end of the State honest plaintiffs have come up to his acts of devotion to the people's interest To him partisanship and social station have been put aside, and the only question has been, "Is this man a rogue?" If so, he has been brought face to face with his crime, and made to pay its penalty. By his assiduous devotion to duty he has proved that office is not a mere sinecure whereupon the drawing of salary is the only object to be attained. He has already recovered to the treasury the sum of twenty-two thousand two hundred and sixty-one dollars and ten cents, and has actions pending for all the other moneys stolen. The examinations of the books through which these thieveries have been discovered, have occupied months of labor The expenses incurred in various ways have amounted to no very small sum of money. And to meet these expenses not one cent of money has been provided by law. It is unjust to clothe an officer with the duty of performing such obligations as these, and then ask him to go down in his pocket and bear the expense himself.

The good fruit of the investigations already had warrants the belief that more work of like character may profitably be done. We look to the present Controller to do it. But shall it be said that the people of California, who take a just pride in the honor of the State, will ask a faithful official to ferret out, at his own expense, the officials who disgrace the State, and bring them to punishment? I know, sir, that we represent the wishes of our own constituents when we assert that the moiety of expenses covered in this bill shall not occupy a moment's thought, when weighed in the balance of the honor of the State.

And, sir, we pay but due tribute to the lofty character of integrity of the constituents of every other gentleman upon this floor, when we declare it as our belief that they are no less sensitive of the well-being and honor of the commonwealth.

The Controller can have no knowledge of the financial relations existing between any county and the State, other than the report of the County Auditor. The same condition exists as to any official receiving fees to be paid into the State Treasury. The reports, it is true, are all sworn to, but so were those of John S. Gray, D. M. Burns, Drury Malone, and every other official whose affidavits contained egregious errors, and if the report be erroneous or fraudulent, and if the affidavit be ignorantly or willfully untrue, the Controller is in the dark, and thousands upon thousands may be lost to the State, *and no one know it, except the parties profiting by the wrong.* And it is to remedy this condition of things that Assembly Bill No 166 was introduced

Mr. Speaker, such is the object of this bill, and, sir, acting upon the principle that the State should cheerfully strengthen the hands of any official seeking to protect her interests, and hunt down the rascals who disgrace her, we feel compelled to dissent from the report of the majority of the committee, and therefore insist that, from every sense of justice and of honor, this bill should become a law.

Respectfully submitted.

J. K. JOHNSON, District No. 1,
J. F. BLACK,
Minority of the Committee.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER Your Committee on Constitutional Amendments, to whom was referred Assembly Bill No. 53—To propose an amendment to article twenty of the Constitution of the State of California, in relation to miscellaneous subjects, by adding a new section thereto, to be known as section twenty-one, in relation to the equalization of electoral districts

Also, Assembly Constitutional Amendment No. 8—Proposing to amend section one, of article thirteen, of the Constitution of the State of California

Also, Assembly Constitutional Amendment No. 9—To propose an amendment to section four, article thirteen, of the Constitution of the State of California, proposed by the Legislature of the State of California, at the twenty-sixth session, pursuant to the first section of the eighteenth article of said Constitution, relative to revenue and taxation, and to section ten, of article thirteen, of the Constitution of the State of California, relative to the assessment of property.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

HEATH, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following resolution

Resolved, That no member shall speak more than once on any question before the House, and the time of each member speaking shall be limited to five minutes.

Have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

WEAVER, Chairman.

Resolution lost.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1885.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 402—An Act to create a State Board of Charities, and to define its powers, prescribe its duties, and provide for its maintenance—have had the same under consideration, and recommend that it do pass.

Also, Assembly Bill No. 419—An Act to prevent the sale of tobacco to minors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

R. C. CARTER, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 349—An Act entitled "An Act to provide for the payment of the claim of William Saunders—have had the same under consideration, amended the same, and respectfully report the same back, and recommend that it do pass.

SWAYNE, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 239—An Act to establish a boys' reform school for the correction and reformation of juvenile offenders—have had the same under consideration, and report the same back, with the recommendation that it do pass, as amended.

Also, Assembly Bill No. 325—An Act to prohibit the sale of prepared opium pipes or parts thereof—have had the same under consideration, and report favorably, with a recommendation that it do pass.

Also, Assembly Bill No. 273—An Act to permit the electors of every Supervisor District in this State to vote on the question of granting of licenses to sell intoxicating liquors, report, and recommend that the author be allowed to withdraw it

Also, Assembly Bill No. 347—An Act to permit the electors of every Supervisor District in this State to vote on the question of granting of licenses to sell intoxicating liquors—have had the same under consideration, and respectfully report the same back, and a majority of your committee recommend that it do not pass.

R. C. CARTER, Chairman.

ON PUBLIC MORALS—(MINORITY).

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1885.

MR. SPEAKER: A minority of your Committee on Public Morals, to whom was referred Assembly Bill No. 347—An Act to permit the electors of every Supervisor District in this State to vote on the question of granting of licenses to sell intoxicating liquors—have had the same under consideration, and respectfully report the same back, and the minority of your committee recommend that it do pass.

R. C. CARTER.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Petition—Relative to the so called Islais Creek Bill—report, and request that the petition be placed on file with Assembly Bill No. 31, No. 73 on this day's file.

LOVELL, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1885.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 410—An Act to amend title eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections numbered one thousand four hundred and twenty-two, one thousand four

hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irrigation purposes, and declaring such purposes a public use, and to come within title seven, of part three, of the Code of Civil Procedure of this State—have had the same under consideration, and respectfully report the same back, with amendment, and recommend that it do pass, as amended.

Also, Assembly Constitutional Amendment No. 3—Proposed amendment to article fourteen of the Constitution—Relative to the sale, rental, and distribution of water. The Legislature of the State of California, at its twenty-sixth session, commencing on the first Monday after the first day of January, A. D. 1885, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby proposes that article fourteen, section one, of the Constitution of the State of California, be amended so as to read as follows—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WALRATH, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 10—Relating to salaries of Justices of the Supreme Court and Superior Court Judges—have had the same under consideration, and respectfully report a substitute, and recommend the passage of the substitute.

HEATH, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 263—An Act to amend sections seven hundred and sixty-four, seven hundred and seventy-one, seven hundred and seventy-three, seven hundred and eighty-nine, and to repeal section seven hundred and fifty-eight of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass, as amended.

LOUD, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 4, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted a substitute for Assembly Concurrent Resolution No. 11—Relative to sending the mineral collection of the State Mining Bureau to the World's Fair and Cotton Centennial Exposition at New Orleans.

Also, Senate Concurrent Resolution No. 15—Relative to making the Department of Agriculture a Cabinet office.

Also, Concurrent Resolution No. 18—Relative to the direct war tax assessed to and levied upon the several States under the Act of Congress approved August 5, 1861.

Also, Senate Bill No. 73—Relative to granting to Boards of Health in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and the registration of plumbers.

Also, Substitute for Senate Bill No. 33—Relative to adding a new section to the Penal Code, to be known and numbered as section three hundred and eight, concerning the sale and use of opium.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

The following substitute for Assembly Concurrent Resolution No. 11 was adopted:

Substitute for Assembly Concurrent Resolution No. 11, reported by the Senate Committee on Federal Relations, February 3, 1885.

CONCURRENT RESOLUTION

Relative to sending the mineral collection of the State Mining Bureau to the World's Fair and Cotton Centennial Exposition at New Orleans.

Resolved by the Assembly, the Senate concurring, That the State Mineralogist be and he is hereby authorized and directed to carefully pack and ship to New Orleans so much of the cabinet of minerals now in the State Mining Bureau at San Francisco as will secure a proper representation of the mineral wealth and resources of California in the World's Industrial and Cotton Centennial Exposition now open in New Orleans. Said exhibit to be under the charge and control of the State Mineralogist, and at the close of said Exposition, or sooner, if

by him deemed expedient or proper, to be returned to its present quarters in the State Mining Bureau. The expenses attending this exhibit shall be paid out of any appropriation made by this Legislature for the better display of the resources of the State of California at such exposition.

Senate Concurrent Resolution No. 15 was referred to Committee on Federal Relations.

Senate Concurrent Resolution No. 18 was referred to Committee on Federal Relations.

Senate Bill No. 73 was referred to Committee on Municipal Corporations.

Substitute for Senate Bill No. 33 was referred to Committee on Crimes and Penalties.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Edwards: Assembly Bill No. 463—An Act to amend section twenty-five of an Act entitled "An Act to establish a system of county and township governments," approved March 14, 1883, relating to county job printing, stationery and blank books, and county advertising.

Referred to Committee on Public Printing.

By Mr. Watson of El Dorado: Assembly Bill No. 464—An Act appropriating money to construct a wagon road from Georgetown, El Dorado County, to Lake Bigler.

Referred to Committee on Roads and Highways.

By Mr. Jordan: Assembly Bill No. 465—An Act to amend sections one thousand two hundred and seventy-five and one thousand three hundred and thirteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Referred to Committee on Judiciary.

By Mr. Buhlert: Assembly Bill No. 466—An Act to regulate insurance companies.

Referred to Committee on Corporations.

Also, Assembly Bill No. 467—An Act to limit and fix the rate of gas in all cities within the State of California having a population of one hundred thousand or more.

Referred to Committee on Corporations.

Also, Assembly Bill No. 468—An Act in relation to companies or corporations transacting fire, marine, or inland insurance in California.

Referred to Committee on Corporations.

By Mr. Jones: Assembly Bill No. 469—An Act to amend section one thousand two hundred and sixty-three of the Penal Code.

Referred to Committee on Judiciary.

GENERAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 122—An Act to amend subdivision twenty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Passed on the file.

SECOND READING OF BILLS.

Assembly Bill No. 163—An Act to eradicate glanders and farcy, a disease among horses and other animals, and to empower the several County Boards of Supervisors of this State to create the office of County Veterinary Surgeon, and to provide for his compensation and define his powers and duties.

Read second time.

The Committee on Agriculture offered the following amendments: In title, strike out the word "and," and insert the word "button;" strike out the word "a," after the word "farcy," and insert the words "or nasal gleet."

So ordered.

Also, strike out the word "or," after glanders, and insert the word "button;" strike out the word "and," after "farcy," and insert the words "or nasal gleet."

So ordered.

Also, strike out the word "seventy-five," and substitute the word "forty."

So ordered.

Mr. Carter of Contra Costa moved to amend, as follows:

The Veterinary Surgeon shall serve, or cause to be served, three days prior to his visit, upon the owner, or agent of the owner, of any horses, asses, or mules suspected of being diseased by glanders or farcy, a notice, stating that on a certain day the surgeon will visit the premises of said owner, for the purpose of inspecting said horses, asses, or mules; and it shall be the duty of any person, upon the receipt of such notice, to inclose, or cause to be inclosed, in a suitable inclosure, all horses, asses, or mules of which he may be the owner, or which may be in his possession, for the purpose of such inspection. Personal notice, or notice left at the residence of the owner or agent, shall be deemed to be sufficient notice, and upon a failure to comply therewith on the part of the owner or agent, it shall be the duty of the Veterinary Surgeon to proceed as directed in this Act; and all expenses incurred by him in the discharge of his duty, shall be a lien upon the property of the owner of said horses, asses, or mules.

Lost.

Also, to amend, by striking out of section one, line thirteen, the word "five," and inserting the word "ten."

Lost.

Also, to amend, by striking out of section one, line eight, the word "three," and inserting the word "two."

Lost.

Mr. Carter of Contra Costa moved to reconsider the vote on his amendment to strike out "five" and insert "ten."

Pending action on the motion of Mr. Carter to reconsider, Mr. Edwards moved to re-refer the bill to the Committee on Agriculture.

So ordered.

THIRD READING OF BILLS.

Assembly Bill No. 262—An Act providing for the construction of a public morgue in the City and County of San Francisco.

Read third time.

The roll was called, and the bill failed to pass by the following vote:

Ayes—Messrs. Almy, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Solano, Corcoran, Daley, Davis, Deveny, Edwards, Ellison, Firebaugh, Franklin, Hazard, Heath, Henry, Hollister, Hunt, Jones, Laughlin, Lovell, McDonald, McGlashan, McJunkin, McLean, Pyle, Swayne, Torrey, Watson of Alameda, Watson of El Dorado, Weaver, and Wood—35.

Noes—Messrs. Allen, Ashe, Carter of Contra Costa, Clark, Colby, Coleman, Cook, Culver,

DeWitt, Dooling, Gregory, Henley, Long, Loud, May, Mears, Moffitt, Pellet, Walrath, Ward of Butte, and Mr Speaker—21

Assembly Bill No. 110—An Act to amend section eight hundred and forty-six of the Code of Civil Procedure, relating to the issuance of alias summons in Justices' Courts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Franklin, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Patterson, Pellet, Roseberry, Russ, Swayne, Walrath, Watson of Alameda, Ward of Butte, Weaver, Woodward, and Mr. Speaker—56.

NOES—None

Title approved.

NOTICE OF RECONSIDERATION.

Mr Dooling gave notice that he would move a reconsideration of the vote whereby Assembly Bill No. 262 was lost.

Assembly Bill No. 58—An Act to amend section one thousand eight hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Proceedure," approved March 11, 1872, relating to relations which disqualify persons from being witnesses in certain cases.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Davis, Deveny, Dooling, Ellison, Firebaugh, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Morris, Patterson, Pellet, Porter, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Whitcomb, Wood, Woodward, and Mr. Speaker—54.

NOES—Mr. Mears—1.

Title approved.

Assembly Bill No. 32—An Act to amend "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known as section nine hundred and eighty-seven, relating to the lien created upon real estate by the filing of a notice of the pendency of an action against the owner thereof upon an official bond.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Almy, Ashe, Banbury, Beard, Britt, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Ellison, Firebaugh, Franklin, Goucher, Gregory, Heath, Henley, Henry, Hollister, Hunt, Hussey, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, Morris, Patterson, Pellet, Russ, Swayne, Walrath, Watson of Alameda, Ward of Butte, Weaver, Woodward, and Mr Speaker—46

NOES—Messrs Barnes, Barnett, Colby, Dooling, Hazard, McLean, Mears, Roseberry, and Wood—9.

Title approved.

Assembly Bill No. 57—An Act to amend section one thousand three hundred and twenty-two of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the competency of a wife or husband to be a witness in certain cases.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Heath, Henley, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Morris, Patterson, Pellet, Porter, Roseberry, Russ, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, and Mr. Speaker—56.
NOES—Messrs. Hazard and McLean—2.

Title approved.

Assembly Bill No. 111—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Beard, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Daley, Davis, Deveny, DeWitt, Dooling, Ellison, Firebaugh, Goucher, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, Mears, Morris, Pellet, Roseberry, Russ, Swayne, Walrath, Watson of Alameda, Ward of Butte, Weaver, Wood, Woodward, and Mr. Speaker—47.
NOES—Messrs Allen, Ashe, Barnett, Black, Corcoran, Gregory, Henley, and McDonald—8.

Title approved.

Assembly Bill No. 245—An Act amendatory of an Act entitled "An Act to form agricultural districts, and to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," so as to create a new district out of Fresno and Tulare Counties.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Firebaugh, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McLean, Mears, Morris, Pellet, Roseberry, Russ, Swayne, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, and Mr. Speaker—55.
NOES—Messrs. Corcoran and McJunkin—2.

Title approved.

Assembly Bill No. 265—An Act amendatory of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Britt, Carter of Contra Costa, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, DeWitt, Dooling, Ellison, Firebaugh, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Morris, Pellet, Porter, Roseberry, Russ, Swayne, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, and Mr. Speaker—53.
NOES—None.

Title approved.

Assembly Bill No. 421—An Act to amend sections one, two, five, and eight of an Act approved March 3, 1883, entitled "An Act to amend an Act entitled 'An Act to create Hastings College of Law in the University of the State of California,'" approved March 26, 1878.

Passed on the file.

Assembly Bill No. 264—An Act to provide for the organization of county agricultural associations, and for the management of the same by the State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Davis, Dooling, Ellison, Firebaugh, Gregory, Heath, Henley, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Loud, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Morris, Pellet, Porter, Roseberry, Russ, Swayne, Torrey, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, and Mr. Speaker—49.

NOES—Messrs. Corcoran, Edwards, Goucher, Hazard, Weaver, and Woodward—6.

Title approved.

Assembly Bill No. 27—An Act to add two new sections to "An Act to establish a Political Code," to be numbered, respectively, three thousand one hundred and twelve and three thousand one hundred and thirteen, in relation to the powers and duties of Boards of Supervisors over cemeteries and places of burial situated in unincorporated towns or villages in this State, and to authorize them to prevent further interments therein, and to provide for the removal of bodies therefrom, when the sanitary conditions of such towns are endangered by them.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, Mears, Moffitt, Pellet, Roseberry, Russ, Swayne, Torrey, Watson of Alameda, Watson of El Dorado, Weaver, Wood, Woodward, and Mr. Speaker—51.

NOES—Messrs. Barnett and Black—2.

Title approved.

Assembly Bill No. 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the boundaries of Lake County.

Read third time.

Mr. Colby moved the previous question.

So ordered.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Daley, DeWitt, Dooling, Edwards, Firebaugh, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Moffitt, Pellet, Porter, Pyle, Russ, Torrey, Walrath, Watson of Alameda, Ward of Butte, Weaver, Wood, Woodward, Yule, and Mr. Speaker—53.

NOES—Messrs. Colby, Coleman, Henley, Swayne, and Watson of El Dorado—5.

Title approved.

Assembly Bill No. 243—An Act to enlarge the duties of the Board of Viticultural Commissioners.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes. Barnett, Beard, Black, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Edwards, Ellison, Firebaugh, Gregory, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Moffitt, Pellet, Porter, Pyle, Roseberry, Russ, Swayne, Torrey, Walrath, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, Yule, and Mr. Speaker—54.

Title approved.

Assembly Bill No. 69—An Act to provide for a Poor Fund and regulate its disbursements.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Edwards, Ellison, Firebaugh, Goucher, Gregory, Hazard, Henry, Hollister, Hunt, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, Mears, Moffitt, Pellet, Porter, Pyle, Roseberry, Russ, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Woodward, Yule, and Mr. Speaker—53

NOES—Messrs. Ashe, Coleman, Dooling, Henley, and McJunkin—5.

Title approved.

Assembly Bill No. 421—An Act to amend sections one, two, five, and eight of an Act approved March 3, 1883, entitled "An Act to amend an Act entitled 'An Act to create Hastings College of Law in the University of the State of California,'" approved March 26, 1878, which was passed on the file, was taken up.

Read third time.

By the unanimous consent of the House, on motion of Mr. Jordan, a new section, to be known as section five, to read as follows: "This Act shall take effect immediately." was added to the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Beard, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Morris, Patterson, Pellet, Porter, Pyle, Russ, Swayne, Torrey, Watson of Alameda, Ward of Butte, Weaver, Wood, Woodward, Yule, and Mr. Speaker—56.

NOES—Mr. Roseberry—1.

Title approved.

SECOND READING OF BILLS.

Assembly Bill No. 152—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution, by adding a new subdivision thereto, to be known as subdivision fourteen.

Read second time.

The Committee on Judiciary offered a substitute, which was read.

Mr. Ellison moved to amend, by inserting in subdivision three of section six hundred and ninety, after the word "the," and before "farming," the word "necessary."

So ordered.

Also, after word "debtor," in same subdivision, insert "not to exceed in value five hundred dollars."

Lost.

Mr Woodward moved to insert "one thousand."

So ordered.

The substitute was then adopted.

Mr. Ellison moved to amend the title of the bill, as follows:
The title to read:

An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution

So ordered.

LEAVE OF ABSENCE TO COMMITTEES.

The Committees on Military Affairs, on Education, and on Yosemite Valley and Mariposa Grove of Big Trees and Forestry, were granted leave of absence until Monday.

MOTION.

Mr. McJunkin moved that when the House adjourn, that it adjourn until Monday, February 9, 1885, at one o'clock and thirty minutes P. M.
So ordered.
Mr. Coleman moved to extend the hour for taking recess until one o'clock P. M.
Lost on a division.

INTRODUCTION OF A BILL—(OUT OF ORDER).

By Mr. Jordan: Assembly Bill No. 470—An Act appropriating moneys to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relative to text-books, and for the compiling, printing, electrotyping, illustrating, and distributing of said books.
Referred to Committee on Education.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 142—An Act to amend section one thousand four hundred and one of the Civil Code, relating to estates by succession.
Refused second reading.
Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.
Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Coleman, the House went into Committee of the Whole for the purpose of considering Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.
The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof—and now report it back, and recommend its passage, as amended.

Report received.
The committee amendments were adopted.
Bill ordered engrossed, and to be read third time.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON YOSEMITE VALLEY AND MARIPOSA GROVE OF BIG TREES AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: Your Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry, to whom was referred Assembly Bill No. 438—An Act to amend section six hundred and thirty-five of an Act to establish a Penal Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LONG, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 72—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to salaries of county officers.

Also, Assembly Bill No. 326—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Have had the same under consideration, and respectfully report the same back, with a substitute for both bills, and recommend that the substitute do pass.

Also, recommend that the same be ordered printed, and that the consideration of the same be made a special order for Monday next, immediately after the reading of the Journal.

EDWARDS, Chairman.

On motion of Mr. Edwards, the substitute was ordered printed, and was made a special order for Monday, February 9, 1885, at two o'clock and thirty minutes P. M.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 312—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure, relative to the compensation of Court reporters—recommend that it do pass.

Also, Assembly Bill No. 151—An Act prescribing the mode of maintaining and defending possessory action on unsurveyed public lands in this State. The committee are equally divided upon this bill.

Also, Assembly Bill No. 404—An Act to amend section one thousand four hundred and ninety of the Code of Civil Procedure, in relation to the notice to creditors in probate proceedings—recommend that it do pass, as amended.

Also, Assembly Bill No. 405—An Act to amend section one thousand four hundred and sixty-nine of the Code of Civil Procedure—recommend that it do pass, as amended.

Also, Assembly Bill No. 363—An Act to amend section one thousand one hundred and

eighty-one of the Civil Code, relative to Circuit Court Commissioner—recommend that it do pass, as amended.

Also, Assembly Bill No. 354—An Act to amend section eight hundred and sixty-nine of the Penal Code, relating to the taking and authentication of testimony on examinations in criminal cases—recommend that it do pass, as amended.

Also, Assembly Bill No. 317—An Act to amend section seven hundred and thirty-seven of the Political Code, relating to the salaries of Superior Judges—recommend that it do pass

Also, Assembly Bill No. 306—An Act for the benefit of the poor—recommend that it do not pass.

Also, Assembly Bill No. 360—An Act to amend section one hundred and seventy-one of the Code of Civil Procedure, forbidding certain officers to practice law in certain Courts—recommend that it do not pass.

Also, Assembly Bill No. 358—An Act to amend section eight hundred and ninety-six of the Code of Civil Procedure, relating to judgments in Justices' Courts, and requiring the filing of a cost bill by party claiming costs—recommend that it do not pass.

Also, Assembly Bill No. 359—An Act to amend sections eight hundred and thirty-three and eight hundred and thirty-six of the Code of Civil Procedure, relating to change of venue in civil cases in Justices' Courts—recommend that it do not pass.

Also, Assembly Bill No. 361—An Act to add a new section to the Code of Civil Procedure, to be known as section nine hundred and twenty-seven, to make certain provisions of this Code, relating to notices and the filing and service of papers, applicable to Justices' Courts—recommend that it do not pass.

Also, Assembly Bill No. 335—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Notaries Public—recommend that it do not pass.

Also, Assembly Bill No. 393—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as section three hundred and twenty-nine, relative to the commencement of actions for the purpose of restraining the assessment and collection of taxes, and questioning the validity or legality of any tax—recommend that it do not pass.

ELLISON, Chairman.

ON JUDICIARY—(MINORITY).

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: The Judiciary Committee, to which was referred Assembly Bill No. 354, to amend section eight hundred and sixty-nine of the Penal Code, relating to the taking and authentication of examinations in criminal cases, after making some amendment thereto, having reported the same back with the recommendation that it do pass, the subscriber, a member of said committee, respectfully submits that while he believes the bill and the ends sought thereby are meritorious and worthy the consideration of this honorable body, he holds that the amendment offered to said bill by himself when the same was being considered by the committee, and which was voted down, would add materially to the merit of the proposed Act. The amendment which was proposed is as follows: In line sixty-eight of the original bill, after the word "charge" the words "and either party demand it" to be inserted, so that the sentence containing such proposed amendment would read as follows:

"The Reporter shall, within ten days after the close of such examination, if the defendant be held to answer to the charge, and either party demand it, transcribe into longhand writing his said shorthand notes." * * * The object of this proposed amendment, as will undoubtedly appear clear to this honorable body upon reflection, is to save a great expense to counties in preliminary examinations in which the transcription of the reporter's notes may neither be demanded nor desired by either the attorney for the people or the defendant.

The proposed bill, as recommended by the committee, makes it absolutely incumbent upon the reporter to transcribe his notes in such cases, whether it be deemed necessary by the parties interested or not

All lawyers of experience know full well that many preliminary examinations of criminal cases are held and the defendants held to answer where the notes of the reporter are not necessary for the maintenance of the rights of the accused, nor the furtherance of the ends of justice.

The amendment which I propose does not prohibit the transcription of the reporter's notes, but only makes it unnecessary when neither party demands it.

I respectfully urge the adoption of my amendment by this honorable body.

E. W. BRITT,
H. T. HAZARD,
R. I. ASHE,
Minority of Committee on Judiciary.

SPECIAL ORDER.

The time for the consideration of special orders for two o'clock P. M. this day having arrived, Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums

required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit or otherwise—was taken up.

Read second time.

Mr. McGlashan moved to strike out the enacting clause

Pending action on the motion of Mr. McGlashan, Mr. Munday moved to make the consideration of the bill a special order for Thursday, February 12, 1885, at two o'clock P. M

So ordered.

Special order, two o'clock and thirty minutes P. M.:

Assembly Bill No. 403—An Act to establish a branch State Normal School.

Read first time, and ordered to second reading.

On motion of Mr. Yule, Assembly Bill No. 403 was made a special order for Tuesday, February 10, 1885, at two o'clock P. M.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 222—An Act to amend an Act, approved January 14, 1868, entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866.

Read second time, ordered engrossed, and to be read the third time.

Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time.

Mr. Corcoran moved to amend, by striking out the last line of said bill, and insert the following:

This Act shall take effect and be in force from and after the first Monday in January, A. D. 1886, except so much thereof as relates to elections, which shall go into effect at once.

So ordered.

Also, to amend section nineteen, page ten, line sixteen, as follows: strike out the word "three," and insert "two;" strike out the word "first," and insert "second;" strike out the word "September," and insert the word "August."

So ordered.

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

Read second time.

On motion of Mr. Ellison, the bill was ordered passed on file.

Assembly Bill No. 42—An Act to amend section four hundred and twelve of the Penal Code, relative to prize-fighting.

The Committee on Public Morals offered to amend, by inserting the enacting clause, as follows:

The People of the State of California, represented in Senate and Assembly, do enact as follows:

So ordered.

Also, to amend section four hundred and twelve of the Penal Code, by striking out "for the," and inserting "public," in line three; also, by striking out, in line four, "of others, or for any other purpose whatsoever;" also, in line seven, striking out "for the," and insert-

ing "public," and strike out the words "of others, or for any purpose whatsoever," in lines seven and eight.

So ordered.

Mr. Munday moved to strike out in the bill the words "sparring exhibition, glove contest, or any other," wherever they may occur.

Lost.

Mr. McDonald moved to amend as follows: strike out of section one, line one, after the word "person," up to and including the word "otherwise," in line nine.

Lost.

Mr. Munday moved to strike out the enacting clause.

Lost.

Ordered engrossed, and to be read third time.

FIRST READING OF BILLS.

Assembly Bill No. 307—An Act to amend section twenty-five, subdivision four, of the Political Code, relating to an Act to establish a uniform system of county and township governments, approved March 14, 1883.

Read first time, and ordered to second reading

Substitute recommended by committee ordered printed.

Assembly Bill No. 112—An Act for the relief of John Hoagland and others.

Read first time, and ordered to second reading.

Assembly Bill No. 214—An Act to amend an Act, and the title thereof, approved March 26, 1880, entitled "An Act authorizing the Boards of Supervisors of the counties in which water is sold for the purpose of irrigation, to fix the rates at which water shall be sold."

Read first time, and ordered to second reading.

Assembly Bill No. 118—An Act to amend section one thousand and sixty-four of the Penal Code.

Read first time, and ordered to second reading.

Assembly Bill No. 38—An Act to amend section four hundred and fifteen of "An Act to establish a Penal Code," approved February 14, 1872, relating to disturbing the peace.

Read first time, and ordered to second reading.

Assembly Bill No. 275—An Act to amend section nine hundred and twenty-eight of an Act entitled "An Act to establish a Political Code," approved April 16, 1880, relative to Grand Juries.

Read first time, and ordered to second reading.

Assembly Bill No. 119—An Act to amend section three thousand eight hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue, particularly to omissions, errors, or defects in any original or duplicate assessment book.

Withdrawn by consent of the House

Assembly Bill No. 145—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure, in relation to the time allowed by said Code.

Passed on the file.

Assembly Bill No. 121—An Act to amend an Act entitled "An Act relative to apprentices and minors," approved April 3, 1876, amended April 9, 1880.

Refused first reading.

Assembly Bill No. 143—An Act to amend section one thousand one hundred and ninety-eight of the Code of Civil Procedure, relating to practice and procedure in suits to foreclose liens of mechanics and others.

Withdrawn by consent of House.

Senate Concurrent Resolution No. 2—Relative to viticultural industries.

Read and adopted.

Senate Concurrent Resolution No. 12—Relative to the proposal, submission, and ratification of certain amendments to the Constitution.

Passed on the file.

Assembly Bill No. 300—An Act to amend section one thousand seven hundred and seventy-two of the Political Code.

Read first time, and ordered to second reading.

Assembly Bill No. 303—An Act to amend section one thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to the election of City Boards of Examination.

Read first time, and ordered to second reading.

Assembly Bill No. 290—An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art.

Read first time, and ordered to second reading.

Assembly Bill No. 301—An Act to amend section one thousand six hundred and sixty-five of the Political Code.

Read first time, and ordered to second reading.

Assembly Bill No. 107—An Act to prevent the sale of opium, or the preparations thereof, except for medical purposes.

Refused first reading.

Assembly Bill No. 327—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be known as section six hundred and three, relating to the formation of religious incorporations for building and administering church property.

Read first time, and ordered to second reading.

Assembly Concurrent Resolution No. 3—Relative to opposition to the ratification of the Mexican treaty.

Withdrawn by consent of the House.

Assembly Concurrent Resolution No. 8—Relative to the forfeiture of unearned land grants.

Read, and made the special order for Wednesday, February 11, 1885, at two o'clock P. M.

Senate Concurrent Resolution No. 14—Relative to the proposed treaty of the Republic of Nicaragua with the United States.

Read and adopted.

Assembly Concurrent Resolution No. 9—Relative to the issue of patents to railroad corporations for lands applied for and claimed by such corporations.

Read and adopted.

SECOND READING OF BILLS.

Assembly Constitutional Amendment No. 2—Proposed amendment to section one, of article thirteen, of the Constitution, relative to taxation on growing crops, etc.

Passed on the file.

Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Gregory, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children—and now report it back, and recommend its passage, as amended.

Report received.

Committee amendments approved.

Bill ordered engrossed, and to be read third time.

LEAVE OF ABSENCE.

Mr. Jordan was granted leave of absence until Monday.

MOTION.

At four o'clock, Mr. Culver moved to adjourn.

Roll call demanded by Messrs. Black, Roseberry, and Porter.

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

AYES—Messrs. Barnett, Beard, Clark, Colby, Corcoran, Culver, Deveny, Dooling, Ellison, Franklin, French, Goucher, Gregory, Henley, Hollister, McDonald, McLean, Moffitt, Munday, Patterson, Reeves, Watson of Alameda, and Wood—23.

NOES—Messrs. Almy, Black, Britt, Carter of Contra Costa, Carter of Solano, Cook, Davis, Edwards, Finebaugh, Hazard, Henry, Jones, Laughlin, Loud, May, McGlashan, Pellet, Roseberry, Russ, Swayne, Torrey, Walrath, Watson of El Dorado, Weaver, and Mr. Speaker—25.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 56—An Act to amend section sixty-eight and repeal sections seventy-five and seventy-six of an Act to establish a Civil Code, approved March 21, 1872.

Passed on the file.

Assembly Bill No. 85—An Act to facilitate the giving of bonds required by law.

Passed on the file.

ADJOURNMENT.

At four o'clock and ten minutes, on motion of Mr. Franklin, the House adjourned until one o'clock and thirty minutes P. M. Monday, February 9, 1885.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 9, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs Allen, Almy, Banbury, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Rosebery, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Messrs. Hussey, Henley, and Goucher were granted leave of absence for one day.

PETITIONS.

By Mr. Firebaugh: Resolution adopted by the Board of Trade of San Francisco, indorsing "An Act to provide for the publication of monthly crop and stock reports."

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.

Also, Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Also, Assembly Bill No. 78—An Act supplementary to an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880.

Also, Assembly Bill No. 152—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution.

Also, Assembly Bill No. 148—An Act to amend section nine of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Also, Assembly Bill No. 421—An Act to amend sections one, two, five, and eight of an Act approved March 3, 1883, entitled "An Act to amend an Act entitled 'An Act to create Hastings College of the Law, in the University of the State of California,'" approved March 26, 1878.

Also, Concurrent Resolution No. 11—Relative to sending the collection of the State Mineralogist to the World's Industrial and Cotton Centennial Exposition at New Orleans.

Also, Assembly Concurrent Resolution No. 9—Relative to the issue of patents to railroad corporations for lands applied for and claimed by such corporations.

DEVENY, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 338—An Act to amend sections three hundred and fifty-four, one thousand four hundred and eighty-seven, one thousand four hundred and eighty-eight, one thousand four hundred and eighty-nine, one thousand four hundred and ninety, one thousand four hundred and ninety-one, one thousand four hundred and ninety-two, one thousand five hundred and one, one thousand five hundred and three, one thousand five hundred and four, one thousand five hundred and five, and one thousand five hundred and seven, and to repeal section one thousand five hundred and six of the Political Code, relating to State Normal Schools, and the organization, powers, and duties of Boards of Trustees of such schools

Also, Assembly Bill No. 356—An Act relating to the study of physiology and hygiene in the public schools.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also, Assembly Bill No 444—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section one thousand five hundred and nine, relating to the branch State Normal School of California.

Also, Assembly Bill No. 253—An Act to provide for the organization of cities having a population of over three thousand inhabitants, and not exceeding ten thousand, into separate school districts, for the election therein of Boards of Education, and to prescribe their powers and duties.

Also, Assembly Bill No. 268—An Act to amend section one thousand six hundred and sixty-two of the Political Code, relating to the public schools

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

Also, Assembly Bill No 445—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section one thousand five hundred and eight, fixing the mileage to be allowed to the Board of Trustees of the State Normal School while attending the meeting of the Board—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

Also, Senate Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the formation of school districts.

Also, Assembly Bill No. 435—An Act to amend section one thousand seven hundred and ninety-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the granting of city certificates by City Boards of Examination.

Also, Assembly Bill No. 442—An Act making it the duty of the Secretary of State to furnish all public libraries with copies of State documents, and providing for the paying of postage thereon.

Also, Assembly Bill No. 443—An Act to amend section one thousand four hundred and ninety of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the meetings of the Board of Trustees of the State Normal School.

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

JORDAN, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 15—An Act to amend section one thousand eight hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public schools—recommend that it do pass.

Also, Assembly Bill No. 323—An Act to amend sections three hundred and thirty-nine, three hundred and forty-one, and three hundred and forty-two of an Act entitled "An Act to estab-

lish a Penal Code," approved February 14, 1872, concerning pawnbrokers, their duties and liabilities—recommend that it do pass, as amended.

Also, Assembly Bill No 288—An Act to amend section one thousand three hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to letters of administration, to whom, and the order in which they are granted—recommend that it do pass

Also, Assembly Bill No 395—An Act to add a new section to the Political Code, to be numbered two hundred and eighty-four, relating to costs and expenses in election contests for members of the Legislature—recommend that it do not pass.

ELLISON, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1885.

MR. SPEAKER: Your Committee on Public Buildings and Grounds beg leave to report that, in the discharge of their duties, they have visited the building and grounds of the branch State Normal School, at Los Angeles, and are entitled to mileage as follows: Messrs. May, Wood, Kalben, Sullivan, Buhlert, Watson, Heywood, Van Voorhies, and Clerk Nichols, each from Sacramento to Los Angeles and return—nine hundred and fifty-six miles.

DAVIS, Chairman.

Referred to Committee on Mileage.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 211—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1853—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass, as amended.

LOUD, Chairman.

ON SILK CULTURE

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1885.

MR. SPEAKER: Your Committee on Silk Culture beg leave to report, that in the discharge of their duties, they have visited the State Board of Silk Culture at San Francisco, and are entitled to mileage as follows. Messrs. Cook, Loud, Ward, and Carter, each from Sacramento to San Francisco, and return, one hundred and sixty-eight miles.

G. W. WATSON, Chairman.

Referred to Committee on Mileage.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, amended and passed Assembly Bill No. 82—An Act to amend section six hundred and thirteen of the Civil Code of the State of California, relating to cemetery corporations—and respectfully ask the concurrence of the Assembly to amendments made thereto

EDWIN F. SMITH, Secretary.
Per F. J. SAXE, Assistant Secretary.

On motion of Mr. Coleman, the following amendment, offered by the Senate, was concurred in: Strike out the title, and insert in lieu thereof the following:

An Act to amend section six hundred and thirteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to cemetery corporations.

REFERENCE OF BILLS.

On motion of Mr. Lovell, Assembly Bill No. 449 was re-referred to Committee on Public Morals.

Mr. Buhlert moved that the Committee on Corporations be instructed to report back Assembly Bill No. 467, with recommendation that it be referred to the Committee on Municipal Corporations.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Watson of El Dorado: Assembly Bill No. 471—An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers."

Referred to Committee on Municipal Corporations.

By Mr. Hazard: Assembly Bill No. 472—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, to relieve said Court from the overburdened condition of its calendar, and to provide for the compensation of said Commissioners.

Referred to Committees on Judiciary and Constitutional Amendments.

By Mr. Buhlert: Assembly Bill No. 473—An Act to enable cities and towns and cities and counties to dispose of disused cemeteries.

Referred to Committee on Municipal Corporations.

Also, Assembly Bill No. 474—An Act to amend section one thousand seven hundred and eighteen of the Code of Civil Procedure, relative to attorneys' fees in probate proceedings.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 475—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Mr. Watson of Alameda: Assembly Bill No. 476—An Act to provide for the removal of the Cabinet Department from the State Library to the University of California.

Referred to Committee on State Library.

By Mr. Van Voorhies: Assembly Bill No. 477—An Act to amend an Act to establish and support a Bureau of Labor Statistics, approved January 18, 1883.

Referred to Committee on Labor and Capital.

By Mr. McMurray: Assembly Bill No. 478—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section one thousand one hundred and ninety, relating to the payment of election rewards.

Referred to Committee on Elections.

Also, Assembly Bill No. 479—An Act entitled "An Act to foster the introduction and growth of legitimate amusements."

Referred to Committee on Public Morals.

By Mr. McJunkin: Assembly Bill No. 480—An Act to prohibit advertising for divorce actions, or for aid to procure divorces.

Referred to Committee on Crimes and Penalties.

By Mr. Loud: Assembly Bill No. 481—An Act to amend section two thousand three hundred and forty-nine of the Political Code.

Referred to Committee on Municipal Corporations.

RECONSIDERATION.

Mr. Dooling moved to reconsider the vote whereby Assembly Bill No. 262 was lost.

Mr. May moved to lay on the table.

Lost.

The motion of Mr. Dooling was then carried.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnett, Beard, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Jones, Kalben, Lafferty, Laughlin, Lovell, McDonald, McGlashan, McJunkin, McLean, McMurray, Meais, Moffitt, Patterson, Pellet, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Yule, and Mr. Speaker—62.

NOES—Messrs. Jordan, Loud, May, and Woodward—4.

GENERAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 122—An Act to amend subdivision twenty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Withdrawn by consent of the House.

Assembly Bill No. 145—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure, in relation to the time allowed by said Code.

Withdrawn by consent of the House.

Senate Concurrent Resolution No. 12—Relative to the proposal, submission, and ratification of certain amendments to the Constitution.

Read as follows and adopted:

CONCURRENT RESOLUTION

Declaratory of proposal, submission, and ratification of certain amendments to the Constitution

WHEREAS, The Legislature of this State, at its twenty-fifth session, commencing on the first Monday of January, A. D. 1883, proposed the certain amendments to the Constitution of the State herein recited as "Amendment Number One" and "Amendment Number Two," and at its twenty-fifth (extra) session, commencing on March 24, A. D. 1884, proposed the amendment to the Constitution herein recited as "Amendment Number Three,' and two thirds of all the members elected to each of the two Houses voted in favor of said amendments, and each of such proposed amendments was entered in their Journals with the yeas and nays taken thereon, and whereas, the said Legislature duly submitted each of such proposed amendments to the people, to be voted on at the next general election, after publication, by advertising the same for three months next preceding said election, and provided for the manner of voting and canvassing the votes, and for the inclusion of each of said amendments in the proclamation of the Governor for said election, and their designation therein by numbers for separate voting in the order of their proposal; and whereas, said publication was made, and each of said proposed amendments was included and designated by its proper number in said proclamation, and the votes thereon have been canvassed as provided by law, and at said next general election held on November 4, A. D. 1884, the people approved and ratified each of said amendments by a majority of the qualified electors voting separately thereon; therefore

Resolved by the Senate and Assembly, That the following are the said amendments:

Amendment Number One—That section nineteen of article eleven of the Constitution of the State of California be amended so as to read as follows

SEC. 19. In any city where there are no public works owned and controlled by the municipality for supplying the same with water or artificial light, any individual or any company, duly incorporated for such purpose, under and by authority of the laws of this State, shall, under the direction of the Superintendent of Streets, or other officer in control thereof, and under such general regulations as the municipality may prescribe for damages, and indemnity for damages, have the privilege of using the public streets and thoroughfares thereof, and of laying down pipes and conduits thereon and connections therewith so far as may be necessary for introducing into and supplying such city and its inhabitants either with gaslight or other illuminating light, or with fresh water for domestic and all other purposes, upon the condition that the Municipal Government shall have the right to regulate the charges thereof.

Amendment Number Two—That section seven of article nine of the Constitution of the State of California be amended so as to read as follows

SEC. 7. The Governor, Superintendent of Public Instruction, and the Principals of the State Normal Schools shall constitute the State Board of Education, and shall compile, or cause to be compiled, and adopt a uniform series of text-books for use in the common schools throughout the State. The State Board may cause such text-books, when adopted, to be printed and published by the Superintendent of State Printing at the State Printing Office, and when so printed and published, to be distributed and sold at the cost price of printing, publishing, and distributing the same. The text-books so adopted shall continue in use not less than four years,

and said State Board shall perform such other duties as may be prescribed by law. The Legislature shall provide for a Board of Education in each county in the State. The County Superintendents and County Boards of Education shall have control of the examination of teachers and the granting of teachers' certificates within their respective jurisdictions.

Amendment Number Three—That section nine of article thirteen of the Constitution of the State of California be amended so as to read as follows:

SEC. 9. The State Board of Equalization, consisting of one member from each Congressional District in this State, as the same existed in 1879, shall be elected by the qualified electors of their respective districts at the general election to be held in the year 1886, and at each gubernatorial election thereafter, whose term of office shall be four years, whose duty it shall be to equalize the valuation of the taxable property in the several counties of the State for the purposes of taxation. The Controller of the State shall be ex officio a member of the Board. The Boards of Supervisors of the several counties of the State shall constitute Boards of Equalization for their respective counties, whose duty it shall be to equalize the valuation of the taxable property in the county for the purpose of taxation; *provided*, such State and County Boards of Equalization are hereby authorized and empowered under such rules of notice as the County Boards may prescribe as to the county assessments, and under such rules of notice as the State Board may prescribe as to the action of the State Board, to increase or lower the entire assessment roll, or any assessment contained therein, so as to equalize the assessment of the property contained in said assessment roll, and make the assessment conform to the true value in money of the property contained in said roll; *provided*, that no Board of Equalization shall raise any mortgage, deed of trust, contract, or other obligation by which a debt is secured, money, or solvent credits, above its face value. The present State Board of Equalization shall continue in office until their successors, as herein provided for, shall be elected and shall qualify. The Legislature shall have power to redistrict the State into four districts, as nearly equal in population as practical, and to provide for the election of members of said Board of Equalization.

And that each of said amendments has been constitutionally proposed, adopted, entered, and submitted to the people by the Legislature, and has been constitutionally approved and ratified by the people, and has become a part of the Constitution.

SECOND READING OF BILLS.

Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

Read second time.

Substitute read and amended.

Mr. Ellison moved to amend, by striking out of section three the words "foreclose their liens," and insert in lieu thereof the words "recover judgments for the amount due them for such work."

So ordered.

Mr. Corcoran moved to amend, by adding to section one, the following: "provided that if the machine is not owned by the parties who employ the man, the lien shall not hold."

Lost.

Bill ordered engrossed, and to be read third time.

Assembly Constitutional Amendment No. 2: Proposed amendment to section one of article thirteen of the Constitution, relative to taxation on growing crops, etc.

Read second time.

Mr. Patterson moved to amend, by striking out the words "growing vines and fruit trees," in line five, and insert after the word "taxation," in line eight, "provided, also, that growing vines and fruit trees be exempt from taxation for the period of five years from the time of their planting."

So ordered.

Mr. Douglas moved the previous question.

So ordered.

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 56—An Act to amend section sixty-eight and repeal sections seventy-five and seventy-six of an Act to establish a Civil Code, approved March 21, 1872.

Read second time.

Messrs. Munday and McJunkin, on behalf of the minority of the Committee on Judiciary, offered the following amendment:

Section seventy-six of said Act is hereby amended so as to read. If no record of the solemnization of marriage, contracted prior to the date at which this Act shall take effect, be known to exist, the parties may join in a written declaration of such marriage, substantially showing:

1. The names, ages, and residences of the parties
2. The fact of marriage.
3. That no record of such marriage is known to exist. Such declaration must be subscribed by the parties, and attested by at least three witnesses.

Mr. Firebaugh moved to strike out the enacting clause.
Roll call demanded by Messrs. Munday, Coleman, and Davis.
The motion was carried by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Beard, Britt, Buhlert, Carter of Solano, Colby, Corcoran, Culver, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Kalben, Lafferty, Laughlin, Loud, McDonald, McGlashan, McLean, McMurray, Porter, Roseberry, Sullivan, Torrey, Van Voorhies, Walrath, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—44.

NOES—Messrs Allen, Barnett, Black, Clark, Coleman, Cook, Davis, DeWitt, Dooling, Jones, Jordan, Lovell, May, McJunkin, Mears, Munday, Patterson, Pellet, Russ, Watson of Alameda, and Watson of El Dorado—22.

SPECIAL ORDERS.

The time for the consideration of special orders for two o'clock and thirty minutes P. M. this day having arrived, Mr. Edwards moved that they be passed, and be made special orders for Tuesday, February 10, 1885, at two o'clock P. M.

So ordered.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 85—An Act to facilitate the giving of bonds required by law.

Read second time.

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 109—An Act to regulate the fees of office of County Clerks.

Read second time.

The Committee on Judiciary offered to amend as follows: strike out all of the bill after the enacting clause, down to "fees of clerks in probate cases."

So ordered.

The committee offered to further amend, as follows: strike out, after the words "fees of clerks in probate cases," down to the words "in cases when it appears by affidavit, to the satisfaction of a Judge of any Superior Court," and insert in lieu thereof the following:

When the value of the estate is over fifteen hundred dollars, and does not exceed two thousand dollars, not to exceed twenty dollars, when the value of the estate is over two thousand dollars, and does not exceed three thousand dollars, not to exceed thirty dollars; when the value of the estate exceeds three thousand dollars, not to exceed five dollars additional for each additional thousand dollars in value, *provided*, that if an estate exceed ten thousand dollars in value, he shall receive not to exceed two dollars and fifty cents additional for each additional thousand dollars in value up to fifty thousand dollars in value, and if the estate is of more than fifty thousand dollars in value, he shall receive not to exceed one dollar additional for each additional thousand dollars in value up to one hundred thousand dollars; then, if the estate exceeds one hundred thousand dollars in value, he shall receive not to exceed fifty cents additional for each thousand dollars in value over one hundred thousand dollars.

So ordered.

The committee offered to further amend, by striking out the words "this Act shall take effect and be in force from and after its passage."

So ordered.

Mr. Firebaugh moved to amend as follows: strike out the words, "All Acts and parts of Acts in conflict with this Act are hereby repealed."

Lost.

Mr. Firebaugh moved to further amend as follows: strike out in line twenty-seven, page two, the fourth and fifth words, "be paid," and insert in lieu thereof the word "collect."

So ordered.

Bill ordered engrossed, and to be read third time.

NOTICE OF RECONSIDERATION.

Mr. Firebaugh gave notice that he would move, to-morrow, to reconsider the vote whereby Assembly Bill No. 109—"An Act to regulate the fees of office of County Clerks"—was ordered engrossed, and to be read third time.

Assembly Bill No. 88—An Act to diminish the cost of judicial proceedings, and to regulate the fees of Sheriffs and certain other officers.

Read second time.

Mr. McJunkin offered a substitute.

Roll call demanded on the adoption of the substitute, by Messrs. McJunkin, Edwards, and Torrey.

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

AYES—Messrs. Banbury, Colby, Coleman, Davis, Deveny, DeWitt, Edwards, Ellison, Franklin, French, Heath, Hollister, Jordan, Lafferty, McGlashan, McJunkin, Porter, Roseberry, Sullivan, Swayne, Van Voorhies, Walrath, Watson of El Dorado, Ward of San Francisco, Wood, and Mr. Speaker—26

NOES—Messrs. Almy, Barnett, Beard, Britt, Buhlert, Carter of Solano, Clark, Cook, Culver, Dooling, Firebaugh, Hazard, Henry, Heywood, Hunt, Jones, Laughlin, May, McDonald, McMurray, Mears, Munday, Russ, Torrey, Watson of Alameda, Weaver, and Woodward—26.

Mr. Firebaugh moved to reconsider the vote whereby the substitute was lost.

Pending action, Mr. McJunkin moved that the bill be made a special order for Tuesday, February 10, 1885, at eleven o'clock A. M.

So ordered.

Assembly Bill No. 19—An Act to provide for the division of existing counties, and for the creation of new counties; to determine the location of county seats by an election; to declare the manner of providing officers; to provide funds for their support by the issuance of bonds, and to determine what portion of old county debts is chargeable to such new counties.

Passed on file.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Read first time, and ordered to second reading.

Mr. Jones moved that the bill be made a special order for Tuesday, February 10, 1885, at three o'clock P. M.

The roll call was demanded by Messrs. Hazard, McGlashan, and Swayne.

The motion was carried by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnett, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Daley, Davis, Deveny, DeWitt, Douglas, Ellison, Finebaugh, Franklin, French, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Lovell, May, McDonald, McMurray, Mears, Porter, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Wood, and Mr Speaker—42.

NOES—Messrs. Allen, Beard, Britt, Colby, Cook, Culver, Dooling, Hazard, Heath, Laughlin, Loud, McGlashan, McLean, Torrey, Watson of El Dorado, Weaver, and Woodward—17.

Assembly Bill No. 425—An Act to amend an Act entitled "An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove," approved April 15, 1880.

Read first time, and ordered to second reading.

Assembly Bill No. 331—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding thereto a new section, to be numbered six hundred and thirty-three.

Read first time, and ordered to second reading.

Assembly Bill No. 250—An Act to provide for the appointment of appointive officers, members of Boards of Commissioners of any county, city, city and county, township, or municipality, and to provide for the appointment of appointive officers to succeed officers, members of Boards, or Commissioners heretofore appointed, whose constitutional or legislative terms have already expired.

Refused first reading.

Assembly Bill No. 219—An Act to provide for the disincorporation of municipal corporations of less than three thousand inhabitants.

Read first time, and ordered to second reading.

Assembly Bill No. 339—An Act to provide that no compensation shall be paid to the Mayors or members of the Common Council of cities containing less than ten thousand inhabitants.

Read first time, and ordered to second reading.

Assembly Bill No. 340—An Act to amend section six hundred and twenty-six of the Penal Code, and to add a new section thereto, to be known as section six hundred and twenty-seven, relating to the preservation of fish and game.

Read first time, and ordered to second reading.

Assembly Bill No. 169—An Act to amend section six hundred and thirty-four of the Penal Code, relative to fish and game.

Read first time, and ordered to second reading

Assembly Bill No. 179—An Act to amend section six hundred and thirty-six of the Penal Code, relative to fish and game.

Read first time, and ordered to second reading.

Assembly Bill No. 308—An Act to authorize the Board of Fish Commissioners of this State to construct a steam launch, to aid in carrying out the purposes of said Board, and providing for the payment of claims incurred in said construction.

Read first time, and ordered to second reading.

Assembly Bill No. 50—An Act to amend section six hundred and twenty-six of the Penal Code, and to add a new section thereto, to be known as section six hundred and twenty-seven, relating to the preservation of game and fish.

Withdrawn by consent of the House.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced and referred as follows:

By Mr. Ellison: Assembly Bill No. 482—An Act to amend section eight hundred and thirty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to place of trial of actions in Justice Court.

Referred to Committee on Judiciary.

By Mr. Munday: Assembly Bill No. 483—An Act to amend an Act entitled "An Act to establish a Penal Code," by amending section one thousand and forty-six thereof, relating to forming juries in criminal causes.

Referred to Committee on Judiciary.

By Mr. Cook: Assembly Bill No. 484—An Act to amend section two thousand six hundred and eighty-seven of an Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two, in said Code, relative to roads and highways.

Referred to Committee on Roads and Highways.

By Mr. Swayne: Assembly Bill No. 485—An Act to authorize incorporated cities and towns to license and regulate the sale of alcoholic and fermented liquors.

Referred to Committee on Public Morals.

CONSTITUTIONAL AMENDMENTS.

By Mr. Heath: Constitutional Amendment No. 15—Proposed amendment to sections one, eight, ten, and eleven, of article thirteen, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

COMMUNICATION.

The Chief Clerk read the following telegram:

NEW ORLEANS, LA., January 31, 1885.

To GEORGE STONEMAN, *Governor of California, Sacramento*:

The Board of Management of the World's Exposition cordially invite your staff and the members of your Legislature to visit the Exposition whenever you and they may deem fit, and at which time the proper courtesies will be extended you.

E. A. BURKE, D.G.

Laid on the table until to-morrow.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Corcoran:

Resolved, That the Controller be authorized to draw his warrant in favor of Samuel McClintock, for two days' services as Page of the Assembly.

Referred to the Committee on Attachés and Employés.

By Mr. Almy:

Resolved, That the Controller be authorized to draw his warrant in favor of Jerome B. Porter, the Sergeant-at-Arms of this Assembly, for the sum of eighteen dollars and eighty-five cents, for mileage to the City of Oakland, and fee for service of subpœna on J. P. Ames, in the matter of investigation of State Prison affairs before the Committee on State Prisons.

So ordered.
By Mr. Almy:

Resolved, That the Controller be authorized to draw his warrant in favor of J. P. Ames for the sum of twenty dollars and twenty cents for mileage from his residence in the City of Oakland, and one day's attendance, as a witness before the Committee on State Prison, in the investigation into State Prison affairs.

So ordered.
By Mr. Almy:

Resolved, That the Controller be authorized to draw his warrant in favor of C. W. O'Neal for the sum of one hundred and nineteen dollars and eighty cents for seventeen days' services as shorthand reporter for the Committee on State Prisons and for mileage to San Quentin, during the investigation of State Prison affairs before said committee.

So ordered.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 10, 1885.

The House met pursuant to adjournment.
Speaker Parks in the chair.
The roll was called, and the following members answered to their names:

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.
Prayer by the Chaplain.
Pending the reading of the Journal, Mr. Firebaugh moved that the further reading be dispensed with.
So ordered.
Journal approved.

LEAVE OF ABSENCE.

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

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 175—An Act to pay the claim of the widow of P. T. Morris, for work done for the State, and for the illegal confiscation of personal property.

Also, Assembly Bill No. 424—An Act to provide for the payment of the claim of Colonel W. B. Burtis, for special services performed by him as Second Lieutenant, Company "F," Second Infantry Regiment, General Brigade, National Guard of California, pursuant to Special Orders Number Twenty-six, series 1880, issued from General Headquarters.

Also, Assembly Bill No. 366—An Act to appropriate money to Cox & Warren, to pay the balance due them under their contract for doing the plastering in the construction of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 367—An Act to appropriate money to Cox & Colby, to pay the balance due them under their contract for furnishing the brick for the construction of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 368—An Act to appropriate money to W. F. Wilson & Co., to pay the balance due them under their contract for doing the plumbing in the construction of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 369—An Act to appropriate money to the Frear Stone Company, to pay the balance due it under its contract for furnishing statuary in the construction of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 370—An Act to appropriate money to the Frear Stone Company, to pay the balance due it under its contract for furnishing artificial stone in the construction of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 371—An Act to appropriate money to E. L. Mayberry, to pay the balance due him under his contract for the carpenter work in the construction of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 372—An Act to appropriate money to Wright & Sanders, to pay the balance due them under their contract, for services as architects in the construction of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 374—An Act to appropriate money to W. W. Montague & Co., to pay the balance due them under their contract, for furnishing plumbing materials in the construction of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 375—An Act to appppropriate money to George J. Mothersole, to pay the balance due him under his contract for furnishing slating in the construction of the Napa State Aylum for the Insane.

Also, Assembly Bill No. 376—An Act to appropriate money to Baker, Smith & Co., to pay the balance due them under their contract for furnishing heating apparatus in the construction of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 377—An Act to appropriate money to the Electrical Construction and Maintenance Company, to pay the balance due them under their contract for furnishing electrical apparatus in the construction of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 378—An Act to appropriate money to Robert Ewing, to pay the balance due him under his contract for brick work in the construction of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 379—An Act to appropriate money to Noble & Gallagher, to pay the balance due them under their contract for the painting in the construction of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 380—An Act to appropriate money to James Hunter & Co., to pay the balance due them under their contract for doing tin work in the construction of the Napa State Asylum for the Insane.

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

Also, Assembly Bill No. 373—An Act to appropriate money to Wright & Sanders, to pay the balance due them under their contract for services as architects in the construction of the Napa State Asylum for the Insane—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SWAYNE, Chairman.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Resolution—Relative to expenses of T. C. Morris in the contested election case of Tyler vs. Morris—beg leave to report that they have had the same under consideration, and respectfully recommend as follows: That the one thousand three hundred dollars asked as attorney's fee be reduced to five hundred dollars; that the fifty dollars asked for services of W. P. Ward as clerk be reduced to thirty dollars; that the fifty dollars asked for services of C. McGreevy as clerk be reduced to thirty dollars; that the item of one hundred and twenty-seven dollars for procuring evidence,

certificates, etc., be allowed; and that the item of eighty-eight dollars for contingent expenses be allowed, and your committee further recommend that the Controller be authorized to draw his warrant in favor of T. C Morris for the sum of seven hundred and seventy-five dollars, as herein specified.

So ordered.

Also, Assembly Resolution—Relative to the expenses of W. B. Tyler in the contested election case of Tyler vs. Morris—beg leave to report that they have had the same under consideration, and respectfully recommend as follows That the item allowing seven hundred dollars attorney's fees be stricken out, and in its place inserted one allowing three hundred dollars; that the item of one hundred and six dollars and forty cents for mileage, expenses, and witness fee for the County Clerk of Alameda County, be stricken out, and the said County Clerk be allowed to present his own claim to this Assembly, that the item allowing five dollars for messenger to Oakland for service of subpœna, and that allowing thirty dollars to G. W Cook for services as tally clerk, be allowed, and your committee further recommend that the Controller be authorized to draw his warrants in favor of W B. Tyler for three hundred and fifteen dollars, and G. W. Cook for thirty dollars, as herein specified.

The question being upon the adoption of the amendments offered by the committee to the original resolution, the roll call was demanded by Messrs. Hazard, Reeves, and Russ.

The amendments were adopted by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Solano, Colby, Coleman, Cook, Corcoran, Culver, Daley, Deveny, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Munday, Pyle, Roseberry, Sullivan, Swayne, Torrey, Van Voorhies, Weaver, Woodward, and Mr. Speaker—52.

NOES—Messrs. Allen, Ashe, Clark, Hazard, Jordan, McLean, Mears, Porter, Reeves, Russ, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, and Wood—15.

Mr. McGlashan moved to strike out that portion of the report authorizing the Controller to draw his warrant in favor of W. B. Tyler for three hundred and fifteen dollars.

Mr. Culver moved to indefinitely postpone action on the resolution.

Lost.

The question then recurring on Mr. McGlashan's motion to strike out, the roll call was demanded by Messrs. Hollister, Heywood, and Edwards.

The motion was carried by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnett, Beard, Black, Britt, Carter of Solano, Clark, Colby, Corcoran, Culver, DeWitt, Dooling, Douglas, Edwards, Gregory, Hazard, Jordan, Kalben, Laughlin, May, McGlashan, McLean, Mears, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, and Wood—37.

NOES—Messrs Barnes, Buhlert, Coleman, Cook, Daley, Davis, Deveny, Ellison, Firebaugh, Franklin, French, Goucher, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Lafferty, Long, Loud, Lovell, McDonald, McJunkin, McMurray, Munday, Porter, Sullivan, Ward of San Francisco, Weaver, Woodward, and Mr. Speaker—13.

The question then being upon the adoption of the resolution as amended, it was so ordered.

Also, Assembly Resolution—Relative to the expenses of D. J. Leary, in the contested election case of Buhlert vs. Leary—beg leave to report that they have had the same under consideration, and respectfully recommend that the item of two hundred and fifty dollars for time and labor lost, and fees for searching records of election; also, the item allowing one hundred and fifty dollars for expenses for witness and officers in watching and reporting proceedings in the Justice's Court; also, the item allowing two hundred and sixty-eight dollars and eighty cents for mileage of sixteen witnesses to Sacramento and return, and that of five hundred and twenty dollars for expenses of the witnesses during their stay in Sacramento, be stricken out, and not allowed; that the item allowing one hundred and fifty dollars for expenses incurred

at Sacramento during the contest over and above his per diem of fifteen days at eight dollars a day, and that of five hundred dollars for attorney's fees, be allowed. and your committee recommend that the Controller be authorized to draw his warrant in favor of D. J. Leary for the sum of six hundred and fifty dollars, as herein specified.

So ordered.

Also, Assembly Resolution—Relative to the expenses of Julius Buhlert, in the contested election case of Buhlert vs. Leary—beg leave to report that they have had the same under consideration, and respectfully recommend as follows That the item allowing James Dunne and E Gilson, Esqs., one thousand dollars for services rendered as a Commission, be stricken out, and not allowed, that the item of fifteen dollars for printing statement and notice, and that allowing fifty dollars for contingent expenses, procuring witnesses, be stricken out, and not allowed; that the items allowing two dollars for Sheriff's fee (serving notice), four dollars for postage sending statement to Secretary of State, one hundred and sixty dollars for shorthand reporter, one hundred and seventy-eight dollars for witness fees, and twenty dollars for mileage and service of subpœnas, be allowed; that the one thousand dollars asked as attorney's fees be reduced to seven hundred dollars, and the same allowed; and your committee respectfully recommend that the Controller be authorized to draw his warrant for the sum of one thousand and seventy-one dollars and fifty cents, as specified, and in favor of Julius Buhlert.

McMURRAY, Chairman.

Mr. Hazard moved to amend by striking out the words "seven hundred dollars," and inserting in lieu thereof the words "three hundred dollars."

The roll call was demanded by Messrs. Cook, McMurray, and Sullivan.

The motion was carried by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnett, Beard, Carter of Solano, Clark, Coleman, Corcoran, Culver, DeWitt, Dooling, Douglas, Gregory, Hazard, Henley, Henry, Hollister, Laughlin, Long, McGlashan, McLean, Mears, Pyle, Reeves, Roseberry, Swayne, Torrey, Watson of Alameda, Ward of Butte, Weaver, Wood, and Woodward—34.

NOES—Messrs Barnes, Black, Britt, Colby, Cook, Daley, Davis, Deveny, Edwards, Ellison, Firebaugh, Franklin, French, Heywood, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Loud, Lovell, May, McDonald, McJunkin, McMurray, Sullivan, Van Voorhies, Walrath, Ward of San Francisco, and Mr Speaker—31.

The question then being upon the adoption of the resolution, as amended, it was so ordered.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred the resolution of Mr. Swayne, in regard to the bill of B. Ruhl, respectfully report the same back, and recommend that it be referred to the Committee on Attachés and Employés

So ordered.

Also, Assembly Bill No 235—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAY, Chairman.

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 400—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, defining what are common carriers.

Also, Assembly Bill No. 401—An Act to amend section two thousand two hundred and nine of the Civil Code, in relation to damages awarded when telegraphic messages are refused or postponed.

Also, Assembly Bill No. 431—An Act to amend section three hundred and twenty-four of the Civil Code, concerning corporations and corporate stock.

Also, Assembly Bill No. 432—An Act to amend section three hundred and twenty-three of the Civil Code, relating to corporate stock.

Also, Assembly Bill No. 433—An Act to amend section three hundred and seventy-eight of the Civil Code, concerning records of corporations

Also, Assembly Bill No. 434—An Act to amend section three hundred and fifty-eight of the Civil Code, concerning corporate powers

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also, Senate Bill No. 83—An Act to amend section three hundred and fifty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to powers of corporations—and recommend that it do pass.

JONES, Chairman.

SPECIAL ORDER.

The time for the consideration of special orders for eleven o'clock A. M. this day having arrived, Assembly Bill No. 88—An Act to diminish the cost of judicial proceedings, and to regulate the fees of Sheriffs and certain other officers—was taken up.

Mr. Loud moved the previous question.

So ordered.

The question then recurring on the motion of Mr. Firebaugh, to reconsider the vote whereby the substitute offered by Mr. McJunkin was lost.

The roll call was demanded by Messrs. Henley, Barnes, and Lafferty.

The motion was lost by the following vote:

AYES—Messrs. Allen, Banbury, Buhlert, Colby, Coleman, Daley, Davis, Douglas, Edwards, Ellison, Franklin, Goucher, Heath, Henley, Hunt, Hussey, Jordan, Kalben, Lafferty, McGlashan, McJunkin, McLean, Porter, Pyle, Roseberry, Sullivan, Swayne, Walrath, Watson of El Dorado, Ward of San Francisco, Wood, and Mr Speaker—32

NOES—Messrs. Almy, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Deveny, DeWitt, Dowling, Firebaugh, Gregory, Hazard, Henry, Heywood, Hollister, Jones, Laughlin, Loud, Lovell, May, McDonald, McMurray, Mears, Moffitt, Munday, Pellet, Reeves, Russ, Torrey, Van Voorhies, Watson of Alameda, Ward of Butte, Weaver, and Woodward—40.

The Committee on Judiciary offered to amend as follows: in section two, after the words "on each defendant," strike out the words "fifty cents," and insert in lieu thereof the words "one dollar."

So ordered.

Also, in section two, between the words "two dollars and fifty cents per day" and the words "shall be allowed to a keeper," insert the words "of twenty-four hours each."

So ordered.

Also, in section two, after the words "for each witness summoned," strike out the words "twenty-five cents," and insert in lieu thereof the words "fifty cents."

So ordered.

Also, in section two, strike out all after the words "Commissioners for receiving and paying over money," down to the words, "the fees herein allowed for the levy of an execution," and insert in lieu thereof the words "on a sale of property, on execution or other legal process, on the first one thousand dollars, or sums less than that, one per cent; on all above that sum, the one half of one per cent."

So ordered.

Also, in section three, after the words "administering every oath or affirmation," strike out the words "fifteen cents," and insert in lieu thereof the words "twenty-five cents."

Lost.

Also, in section eight, after the words "and indexing such dis-

charge," strike out the words "fifty cents," and insert in lieu thereof the words "twenty-five cents."

So ordered.

Also, to strike out all of section nine.

So ordered.

Also, to strike out all of section seventeen, and insert in lieu thereof a new section seventeen, to read as follows:

SEC. 17. In any matter where an officer mentioned in this Act is required by law to publish a notice, or other paper, in an action or judicial proceeding, the party in whose favor or on whose behalf such publication is to be made, must prepay to the officer on demand the cost of publication.

So ordered.

Also, to strike out all of section eighteen, and insert in lieu thereof a new section eighteen, to read as follows:

SEC. 18. Nothing herein contained shall be construed as allowing any salaried officer fees against the county, or city and county, for which he shall have been elected or appointed, except the fees herein above allowed to Sheriffs in criminal cases.

So ordered.

Also, to strike out all of section twenty, and insert in lieu thereof a new section twenty, to read as follows:

SEC. 20 All Acts relating to the fees of any officers herein mentioned are hereby repealed.

Lost.

Mr Firebaugh moved to amend the bill, by striking out section three, and inserting the following:

The Clerk shall collect·

For services performed by him before trial, including indexing and judgment by default, and the entering up of the same in any action or proceeding, six dollars and fifty cents.

For the trial, swearing the jury and witnesses, and for all proceedings subsequent to the trial, including the entry of judgment, to be paid by the party moving the same, four dollars.

Lost.

Also, strike out, in section one, the words "city and county," and in the same section, line three thereof, insert the following:

Nothing in this Act shall be construed to apply to any city and county, or county, of the first class, or any of the officers therein.

Lost.

Also, strike out section twenty.

Lost.

Mr. Porter moved to amend, by striking out of section two, lines forty-five to forty-nine, inclusive, being the following:

The fees herein allowed to the Sheriff for arresting persons accused of crime, and conveying them before a magistrate, or to prison, and for executing a sentence of death, shall be a county charge, to be ordered paid by the Board of Supervisors, and the Sheriff may retain the same to his own use, *provided*, that such fees in criminal cases shall not be allowed to any Sheriff for the term of office current at the time of the approval of this Act.

Mr. Weaver moved to amend the amendment, by striking out of section two, lines forty to forty-four, inclusive, being the following:

Making every arrest in a criminal proceeding, two dollars;
Executing every sentence of death, twenty dollars;
Every mile necessarily traveled to arrest a person accused of crime, to execute a warrant of arrest, or search warrant, in criminal proceedings, or in taking a prisoner before a magistrate or to the county jail, twenty cents.

The amendment of Mr. Weaver was accepted by Mr. Porter.
Mr. Carter moved the previous question.
Lost.
The question then recurring on the amendment of Mr. Porter, the roll call was demanded by Messrs. Henry, Laughlin, and Corcoran.
The amendment was lost by the following vote:

AYES—Messrs Banbury, Barnes, Carter of Contra Costa, Colby, Cook, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Hunt, Lafferty, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Ward of San Francisco, Weaver, and Wood—33.
NOES—Messrs Allen, Almy, Barnett, Beard, Black, Britt, Carter of Solano, Clark, Corcoran, Culver, Davis, DeWitt, Dooling, Goucher, Gregory, Henry, Heywood, Hollister, Jones, Jordan, Kalben, Laughlin, Long, Loud, Mears, Moffitt, Munday, Patterson, Pellet, Pyle, Watson of Alameda, Watson of El Dorado, Ward of Butte, and Woodward—35.

Mr. DeWitt moved to amend as follows: amend section twenty-one to read as follows:

This Act shall not affect, so far as regards officers who receive the fees provided by law to their own use, until the first day of January, 1887. As to all other officers herein mentioned, it shall take effect in sixty days after its passage.

Lost
Mr. Edwards moved to amend as follows: in line two, section eight, strike out "twelve" and insert "ten."
So ordered.
Also, in line four, section eight, strike out "twelve" and insert "ten."
So ordered.
Also, in line six, section eight, strike out "fifteen" and insert "ten."
So ordered.
Also, in line seven, section eight, strike out "forty" and insert "twenty-five."
So ordered.
Also, in line eighteen, section eight, strike out "fifty" and insert "twenty-five," and after signature, strike out "twenty-five" and insert "twenty."
So ordered.
Mr. McGlashan moved to amend as follows: strike out all of section eleven.
Lost.
Mr. McJunkin moved to amend as follows: strike out section two, and insert in lieu thereof the following: "The Sheriff shall not charge or receive any fees for the performance of any duty imposed by law."

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.

Quorum present.

RECONSIDERATIONS.

Mr. Firebaugh moved to reconsider the vote whereby Assembly Bill No. 109 was ordered engrossed, and to be read third time.

On motion of Mr Firebaugh, the reconsideration asked was made a special order for Thursday, February 12, 1885, at eleven o'clock A. M.

Mr. Hazard moved to reconsider the vote whereby Mr. D. J. Leary was allowed five hundred dollars as attorney's fees in the contested election case of Buhlert vs. Leary.

Lost.

Mr. Hazard moved that Mr. Julius Buhlert be allowed two hundred dollars additional attorney fees in the contested election case of Buhlert vs. Leary.

So ordered.

MOTION.

On motion of Mr. Yule, the special order for two o'clock P. M. this day was deferred until after the consideration of Assembly Bill No. 88.

SPECIAL ORDER.

The further consideration of Assembly Bill No. 88 was resumed.

The question being upon the adoption of the amendment offered by Mr. McJunkin, the amendment was lost.

Mr. Britt moved a reconsideration of the vote whereby the amendment offered by Mr. Porter was lost.

The roll call was demanded by Messrs. Corcoran, Dooling, and Ward of San Francisco.

The motion was carried by the following vote:

AYES—Messrs. Allen, Almy, Barnes, Barnett, Beard, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, French, Hazard, Heath, Henry, Heywood, Hollister, Jordan, Lafferty, Laughlin, Long, McDonald, McGlashan, Moffitt, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Ward of Butte, Ward of San Francisco, Weaver, and Wood—46.

NOES—Messrs. Banbury, Buhlert, Corcoran, Dooling, Firebaugh, Franklin, Goucher, Gregory, Hunt, Hussey, Jones, Kalben, Lovell, May, McJunkin, McMurray, Mears, Munday, Watson of Alameda, and Watson of El Dorado—20.

Mr. Munday moved to strike out the enacting clause of the bill.

Mr. Watson of El Dorado moved the previous question.

The roll call was demanded by Messrs. Jones, Corcoran, and McDonald.

The previous question was ordered by the following vote:

AYES—Messrs Allen, Almy, Banbury, Carter of Contra Costa, Coleman, Davis, Deveny, Dooling, Edwards, Firebaugh, Franklin, French, Goucher, Hazard, Heath, Henley, Hunt, Hussey, Kalben, Laughlin, Long, Loud, May, McGlashan, McMurray, Pellet, Porter, Pyle, Reeves, Russ, Torrey, Walrath, Watson of Alameda, Ward of Butte, Weaver, Wood, Yule, and Mr. Speaker—37.

NOES—Messrs Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Solano, Clark, Colby, Corcoran, DeWitt, Douglas, Ellison, Gregory, Henry, Heywood, Hollister, Jones, Jordan, Lafferty, Lovell, McDonald, McJunkin, McLean, Mears, Moffitt, Munday, Patterson, Roseberry, Sullivan, Van Voorhies, Watson of El Dorado, Ward of San Francisco, and Woodward—35.

The hour for the consideration of special orders for three o'clock P. M. this day having arrived, Mr. Jones moved that they be made special orders for Wednesday, February 11, 1885, at eleven o'clock A. M.

So ordered.

Mr. Edwards moved that the special orders for two o'clock P. M. this day follow the special order, Assembly Bill No. 403, and the special order now under consideration.

So ordered.

The question then recurring on the motion of Mr. Munday to strike out the enacting clause, the roll call was demanded by Messrs. Walrath, Kalben, and Corcoran.

The motion was lost by the following vote:

AYES—Messrs. Corcoran, DeWitt, Dooling, Firebaugh, Franklin, Gregory, Hunt, Hussey, Loud, May, McGlashan, McMurray, Munday, Pyle, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Wood, and Woodward—21.

NOES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Culver, Davis, Edwards, Ellison, French, Goucher, Hazard, Heath, Henry, Heywood, Hollister, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, McDonald, McJunkin, McLean, Mears, Moffitt, Patterson, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Watson of Alameda, Ward of San Francisco, Weaver, Yule, and Mr. Speaker—50.

Mr. Corcoran moved to refer the bill to the Committee on Judiciary, with instructions to report within three days.

Lost.

Mr. McGlashan moved to reconsider the vote whereby the motion of Mr. Corcoran was lost.

Lost.

The question then recurring on the adoption of the amendment offered by Mr. Porter, Mr. Corcoran offered to amend the amendment of Mr. Porter, by striking out of section two, lines forty-five, forty-six, forty-seven, forty-eight, and forty-nine, and insert in lieu thereof the following:

No fees shall be allowed the Sheriff for arresting persons accused of crime and conveying them before a magistrate, or for any other service except when so allowed by the provisions of "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Lost.

The amendment offered by Mr. Porter was then adopted.

Mr. DeWitt moved to amend as follows: add to section twenty-one the following:

Except as to those counties where the officers receive the fees, allowed by law, to their own use, in which counties it shall not take effect until the first Monday after the first day of January, 1887.

Mr. Munday moved to amend the amendment by striking out, in the amendment, all after the words "their own use."

Lost.

The question then recurring on the amendment by Mr. DeWitt, it was so ordered.

Mr. Firebaugh moved to amend, by striking out section twenty, and in lieu thereof insert:

SEC. 20 In every city and county, or county of the first class, the County Clerk shall collect and pay into the treasury for services performed by him before trial, including indexing and judgment by default, and the entering up the same in any action or proceeding, seven dollars and fifty cents, one dollar of which shall go to the Law Library Fund of said city and county;

For the trial, swearing the jury and witnesses, and for all proceedings subsequent to the trial including the entry of judgment, to be paid by the party moving the same, four dollars.

Said Clerk shall also collect as follows:

For filing and entering papers on transfer of cases, from other counties, including indexing, the sum of five dollars,

For administering and certifying oaths, except oaths administered at the trial to jury and witnesses, fifty cents;

For certifying transcripts on appeal, and exemplifications of record, one dollar;

For taking and certifying depositions, fifteen cents per folio;

For taking acknowledgments, fifty cents;

For taking justification of sureties, fifty cents, and for taking testimony thereon, fifteen cents per folio;

For attending in his official capacity as a witness in a civil suit, two dollars;

For searching files in his office, except for suitors or their attorneys, one dollar,

For all services performed by him for entering cases appealed from Justices' Courts, two dollars, and for subsequent proceedings therein, including final judgment, to be paid by the party moving the same, three dollars;

For filing transcripts of judgments of Justices' Courts, and issuing executions thereon, two dollars,

For recording certificates of incorporation where recording is required by law, two dollars;

For filing and recording official bonds, two dollars,

For issuing writs of habeas corpus, three dollars;

For issuing marriage license, two dollars.

The provisions of section three of this Act shall not be construed to apply to any city and county, or county of the first class, or to any County Clerk, or Clerks of the Superior Courts therein.

Lost.

Mr. Dooling moved to amend, by striking out of section eighteen, line three, the word "hereinbefore," and inserting in lieu thereof the word "now."

So ordered.

Mr. Britt moved the previous question.

So ordered.

Bill ordered engrossed, and to be read third time.

MOTION.

Mr. May moved to make Assembly Bill No. 290 a special order for Wednesday, February 11, 1885, at two o'clock and thirty minutes P. M.

So ordered.

LEAVE OF ABSENCE.

The Committee on State Prison was granted leave of absence until Thursday.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bill No 222—An Act to amend an Act, approved January 14, 1868, entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866.

Also, Assembly Bill No. 42—An Act to amend section four hundred and twelve of the Penal Code, relative to prize fighting.

Also, Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also, Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

Also, Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

Also, Assembly Constitutional Amendment No. 2—Proposed amendment to section one of article thirteen of the Constitution, relative to taxation on growing crops, etc.

Also, Assembly Bill No. 109—An Act to regulate the fees of office of County Clerks.
Also, Assembly Bill No. 65—An Act to facilitate the giving of bonds required by law.

DEVENY, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 427—"An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAY, Chairman.

SPECIAL ORDER.

The consideration of Assembly Bill No. 403—An Act to establish a branch State Normal School—being the special order for consideration at three o'clock and thirty minutes P. M., it was taken up.

Read second time.

COMMITTEE OF THE WHOLE.

On motion of Mr. Yule, the House went into Committee of the Whole for the purpose of considering Assembly Bill No. 403—An Act to establish a branch State Normal School.

Speaker Parks in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 403—An Act to establish a branch State Normal School—and report progress, and ask leave to sit again.

Report received.

On motion of Mr. Yule, the bill was made a special order for Wednesday, February 11, 1885, at two o'clock P. M.

MOTION.

On motion of Mr. Weaver, Assembly Bills Nos. 72 and 326 were made special orders for Friday, February 13, 1885, at eleven o'clock A. M.

REPORTS OF STANDING COMMITTEES.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 355—An Act to regulate fishing in the State of California—have had the same under consideration, and report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 242—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the support of the Government of the State—and respectfully report the same back, and recommend it do pass, as amended.

Also, Assembly Bill No. 55—An Act to prevent the emptying of sawdust into lakes, rivers, and other streams, and for the protection of fish.

Also, Assembly Bill No 113—An Act to amend section six hundred and thirty-five of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the use of

poisonous or explosive substances in fishing, and the placing or passing into the waters of this State deleterious matter.

And respectfully report the same back, with a substitute for both bills, and report the substitute *without recommendation.*

Also, Assembly Bill No. 426—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game—and respectfully report the same back, and recommend that it do pass.

COLEMAN, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled

Assembly Bill No. 108—Entitled "An Act to enable the State of California to make a proper exhibition of her material resources at the World's Exposition at New Orleans"

And the same was, at four o'clock and fifty-five minutes P. M., February 10, 1885, presented to the Governor for his approval.

Also, beg leave to report that the following Assembly Bill has been correctly enrolled

Assembly Bill No. 82—Entitled "An Act to amend section six hundred and thirteen, of an Act entitled 'An Act to establish a Civil Code,'" approved March 21, 1872, relating to cemetery corporations.

And the same was, at eleven o'clock and ten minutes A. M., February 10, 1885, presented to the Governor for his approval.

DALEY, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 171—An Act to provide for the organization and control of water and irrigation districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

Also, Assembly Bill No. 170—An Act to provide for the discovery and adjudication of the origin, extent, and nature of all appropriations, diversions, and utilizations of water for agricultural purposes and other beneficial uses, made in the State, under the statutory laws thereof, or under the laws of the United States, or in pursuance of local custom or usage, and of all claims of right based upon appropriations, diversions, utilizations, laws, or customs; to provide for the recording thereof, according to an improved and generally uniform system, and to provide for the annual correction or renewal of the record to correspond to the facts for the year in each case—have had the same under consideration, and respectfully report the same back, and recommend that the substitute herewith, adopted by the committee, do pass.

Also, Assembly Bill No. 172—An Act to amend section four thousand four hundred and sixty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the definition and sources of the law—have had the same under consideration, and respectfully report the same back, and recommend that the author have liberty to withdraw the same.

Also, Assembly Bill No. 184—An Act to repeal section one thousand four hundred and twenty-two of the Civil Code, relating to the rights of riparian proprietors—have had the same under consideration, and respectfully report the same back, and recommend that the author have leave to withdraw the same.

WALRATH, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER: Your Committee on Education herewith report the following bills: An Act to amend section one thousand four hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the State Normal School.

Also—An Act to amend section one thousand five hundred and twenty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, fixing the powers and duties of the State Board of Education.

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

JORDAN, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1885.

MR SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Elections—have had the same under consideration, and recommend that Jerome Porter, Sergeant-at-Arms of this House, be allowed mileage for one hundred and ninety-two miles for service of subpœna on the County Clerk of Alameda County, in the matter of the contested election case of Tyler vs. Morris.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of nineteen dollars and twenty cents, in favor of Jerome Porter, payable out of the Contingent Fund of the Assembly.

So ordered.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER Your Committee on Mileage, to whom was referred the report of the Committee on Public Buildings and Grounds, on the occasion of their visit to the branch Normal School at Los Angeles—have had the same under consideration, and recommend that the following named members be entitled to mileage for nine hundred and fifty-six miles Messrs Ward, May, Kalben, Sullivan, Buhlert, Watson, Heywood, Van Voorhies, and Clerk Nichols.

Resolved, That the Controller be and is authorized to draw his warrant for the sum of eight hundred and sixty dollars and forty cents, in favor of W. J. Davis, Chairman, for above mileage, payable out of the Contingent Fund of the Assembly.

So ordered.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Silk Culture, on the occasion of their visit to San Francisco—have had the same under consideration, and recommend that the following named members be entitled to mileage for one hundred and sixty-eight miles: Messrs. Cook, Loud, J. M. Ward and G. W. T. Carter.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of sixty-seven dollars and twenty cents, in favor of G W. Watson, Chairman, for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR SPEAKER. Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No 390—Entitled "An Act to authorize the State Treasurer to refund and pay over certain moneys received from the sale of certain State lands"—have had the same under consideration, and respectfully report the same back, without recommendation.

CULVER, Chairman.

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1885.

MR. SPEAKER: Your Committee on State Library beg leave to report that they have carefully examined the books kept by the present Librarian for the period of his incumbency

They find on file each bill paid, properly audited by the Board of Trustees of the State Library, and proper receipts and vouchers for each amount paid out by the Librarian.

The system of keeping accounts now in use is at once simple and accurate.

We are pleased to note that the bills for books from the various dealers are made out at regular catalogue prices. Upon these prices a discount of from ten to thirty per cent is made, and the library has received the full benefit of the reduction. Your committee have further examined as to the character of the books now being purchased, and find them to consist largely of a kind likely to be of a permanent value. The number of purchases of light and transient literature is very small, and the policy of making this chiefly a reference and scientific library has been generally carried out.

Among the recent additions is a good library of homeopathic works, a large number of books on Oriental language, literature, and religion, and many treatises, journals, and reports on engineering, water supply, drainage of cities and towns, and sanitation.

The library now contains about fifty-nine thousand volumes, with fourteen thousand five hundred and seventy-one dollars and twenty-six cents on hand to be devoted to further purchases. It is in good condition. The department is well administered, and the general course and management of it gives entire satisfaction.

TRUMAN REEVES, Chairman.
JAS. V. COLEMAN.
J. BANBURY.
CHAS. H WARD.

ON AGRICULTURE, MINING, AND MECHANIC ARTS COLLEGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER: Your Committee on Agriculture, Mining, and Mechanic Arts College, to whom was referred Senate Bill No. 23—An Act to provide for the exhibition of the State minerals at the World's Fair in New Orleans, and to appropriate money therefor—a bill appropriating ten thousand dollars having already passed this honorable body, for the same purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

VAN VOORHIES, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 302—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No. 187—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 357—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend the passage of the substitute.

CARTER, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 276—*An Act to provide for the granting of franchises to use streets, and for the use of streets*, in incorporated cities and counties, cities, or towns, and for the transportation of local passengers therein—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

LOUD, Chairman.

ON MUNICIPAL CORPORATIONS—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER. We, the *minority of the Committee on Municipal Corporations*, to whom was referred Assembly Bill No. 276, hereby respectfully report:

1. That the passage of the bill will tend to encourage competing lines of railroads.

2 That the passage of said bill will place Oakland upon the same level as all other California municipalities now are in relation to the granting of franchises for the laying of steam car tracks in the streets of such municipalities.

3. That fifteen hundred citizens of Oakland have petitioned in favor of the bill, showing a strong public wish to have the bill a law.

We, therefore, recommend that Assembly Bill No. 276 do pass.

A. McLEAN
G. G. GOUCHER.
T. H. McDONALD.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 391—An Act to authorize and provide for the erection of buildings to be used as health offices and morgues in the various counties, cities, and cities and counties, of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No. 412—An Act to provide for the declaration of a public nuisance, and the removal of persons whose presence is dangerous to the sanitary condition and well being of communities outside the limits of cities and towns in the State of California.

Also, Assembly Bill No. 413—An Act to add two new sections to an Act entitled "An Act to establish a Political Code," to be numbered respectively three thousand one hundred and twelve and three thousand one hundred and thirteen, in relation to the duties and powers of Boards of Supervisors, or other legislative bodies, over cemeteries and places of burial situated in any city, or town, or city and county, in this State, and to authorize them to prevent further interments therein, or the removal thereof, when the sanitary condition of such city, or town, or city and county, is endangered by them.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

LOUD, Chairman.

COMMUNICATIONS.

The Chief Clerk read the following communication:

OFFICE OF CONTROLLER OF STATE, SACRAMENTO, February 10, 1885.

To Hon. W. H. Parks, Speaker of the Assembly:

DEAR SIR: I have the honor to acknowledge the receipt of a resolution of the honorable Assembly, *authorizing the payment of the sum of eight hundred and seventy-one dollars and* fifty cents in favor of the Hon. Julius Buhlert, for expenses in contested election case, payable out of the appropriation for contingent expenses of the Assembly I also have the honor to inform you and the honorable Assembly that there remains but the sum of eight hundred and

twenty-six dollars and twenty cents to the credit of that appropriation, thus creating a deficiency of forty-five dollars and thirty cents in that appropriation.

Respectfully,

JOHN P. DUNN, Controller.

RESOLUTIONS.

By Mr. Banbury:

Resolved, That the Controller be authorized to draw his warrant for the sum of ninety-six dollars in favor of the Committee on Military Affairs, for mileage in visiting San Francisco in the discharge of their duties.

Referred to Committee on Mileage.

By Mr. Jordan:

Resolved, That the Controller be authorized to draw his warrant in favor of the Committee on Education, for the sum of ninety-one dollars, in payment of mileage to and from Berkeley.

Referred to Committee on Mileage.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced and referred as follows:

By Committee on Education: Assembly Bill No. 486—An Act to amend section one thousand five hundred and twenty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, fixing the powers and duties of the State Board of Education.

Ordered placed on the file.

Also, Assembly Bill No. 487—An Act to amend section one thousand four hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the State Normal School.

Ordered placed on the file.

By Mr. Porter: Assembly Bill No. 488—An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern.

Referred to Committee on County and County Boundaries.

By Mr. Edwards: Assembly Bill No. 489—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties.

Referred to Committee on County and Township Governments

By Mr. Pellet: Assembly Bill No. 490—An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor.

Referred to Committee on Public Buildings and Grounds.

By Mr. Coleman: Assembly Bill No. 491—An Act to amend section twenty-five, subdivision twenty-seven, of the Political Code, relating to an Act to establish a uniform system of county and township governments, approved March 14, 1883.

Referred to Committee on County and Township Governments.

By Mr. Dooling: Assembly Bill No. 492—An Act to amend section three thousand nine hundred and seventy of the Political Code, relating to the collection of personal property taxes.

Referred to Committee on Judiciary.

By Mr. Roseberry. Assembly Bill No. 493—An Act to regulate the attendance of pupils at public schools in cities of over ten thousand

inhabitants, and to prevent the overcrowding of schools, with a view to the promotion of the health of school communities, and the enjoyment of property therein.

Referred to Committee on Education.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 11, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present

Prayer by the Chaplain.

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

So ordered.

Journal approved.

MATTER OF URGENCY.

Mr. May moved that in accordance with the provisions of the Constitution, Assembly Bill No. 427—An Act to provide for a Contingent Fund for the twenty-sixth session of the Legislature—be made a matter of urgency, and that the provisions of the Constitution requiring the reading of a bill on three separate days be suspended, and that the bill be put upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Beard, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Culver, Daley, Davis, Deveny, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Henley, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Morris, Munday, Pellet, Porter, Pyle, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—57.

NOES—Messrs. Britt and Roseberry—2.

Bill read first time.

Bill read second time.

The rules were suspended, and the bill was considered without going into Committee of the Whole.

Bill ordered to be considered engrossed.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Beard, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Moffitt, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—64.

NOES—None.

PETITIONS.

By Mr. McLean: Petition from the citizens of the west half of the County of Santa Barbara, asking for a new county.

Referred to Committee on County and Township Governments.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1885

MR. SPEAKER: The undersigned, a majority of your Committee on Ways and Means, to whom has been referred certain deficiency bills aggregating the sum of three hundred and fifteen thousand seven hundred and sixty dollars and seventy-eight cents, beg leave to report that section five of the General Appropriation Bill, passed at the last session of the Legislature, provided that no expenditures in excess of the appropriations made therein shall be allowed, except the department, commission, or officer requiring the same shall first obtain the unanimous written consent of the State Board of Examiners, with a statement of the unavoidable necessity therefor; that your committee are not in possession of any information from the State Board of Examiners showing that such consent has been given, or stating the unavoidable necessity therefor; that the Governor in his message to the Legislature uses the following language: "Keeping step with a decrease in the expenses of the Government, there has been a decrease in the rate of State taxation. The rate of taxation for State purposes in the year 1881 was 65.5 cents on each one hundred dollars valuation of taxable property, in 1882 the rate was 59 5 cents; in 1883, 49.7 cents, and in 1884, 45 2 cents, showing a steadily decreasing rate for the past four years. The present rate of taxation—45.2 cents on each one hundred dollars—is the lowest reached in the history of our State Government, and the above showing ought to be a matter of pride and congratulation to every citizen of the State." That the deficiencies which have been presented to your committee for allowance, if proper, would not have existed if sufficient appropriations had been made by the last Legislature, though in that event it would have been necessary to raise the tax levy for the thirty-fifth and thirty-sixth fiscal years several cents on the one hundred dollars, and to that extent the citizens of the State would have had less cause for "pride and congratulation" because of the reduction of the rate of State taxation; that, although the deficiency bills referred to are all certified to by the Controller of State, who is a member of the State Board of Examiners, your committee are left in doubt as to whether such excess of the expenditures authorized by the General Appropriation Bill of 1883 has been made in conformity with the provisions of section five of said Act, requiring the unanimous written consent of the State Board of Examiners and a statement showing the unavoidable necessity therefor or not; that your committee have not been furnished with either the original or a copy of such written consent and statement by the Board of Examiners, and as by the provisions of said section five of the General Appropriation Bill all expenditures in excess of the appropriations made by said Act, except such written consent and statement be first obtained, created no indebtedness against the State, but, on the contrary, are absolutely null and void, and no deficiency bills therefor, "if such be the case," should either be recommended for passage or passed. Your committee are at a loss what action to take upon the said bills before them. We therefore ask the passage of the following resolution:

Resolved, That the Governor be and he is hereby requested, and the Controller of State directed, to furnish at once, and in full detail to the Assembly, a copy of each application made by any department, commission, or officer of the State, to be allowed to exceed the appropriation made therefor by the general appropriation bills, and the objects which said excess were incurred to provide for, together with a copy of the written unanimous consent of the State Board of Examiners thereto, and their statement of the unavoidable necessity therefor.

We would add, that without the information requested by the foregoing resolution, your committee cannot consistently, and intelligently, and with justice to the people, or themselves, take action upon any of the deficiency bills enumerated.

WALRATH.
DAVIS.
JORDAN.
LONG.
RUSS.
HUSSEY.

Mr. May moved that the report be printed, and be considered to-morrow.

So ordered.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1885.

MR SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 17—Relative to opposition to the Mexican treaty—have considered the same, and report it back to the House, and recommend that it do pass.

RUSS, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1885.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 341—An Act to regulate the practice of pharmacy and the sale of medicines and poisons—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

FRENCH, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 415—An Act to amend an Act entitled "An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco," approved April 3, 1876, in relation to street cleaning—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

LOUD, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1885.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 394—An Act in relation to trespassing animals—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

Also, Assembly Bill No. 428—An Act to create the County of Orange, to establish the boundaries thereof, and to provide for its organization—have had the same under consideration, and respectfully report back substitute and recommend that substitute do pass.

J. M. WARD, Chairman.

ON PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1885.

MR SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 315—An Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State, by the Act of Congress, entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,'" approved March 2, 1867, approved March 30, 1868—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, so as to permit the sale of State school lands not suitable for cultivation, without requiring actual settlement thereon by the purchaser—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

Also, Assembly Bill No. 147—An Act to acquiesce in the provisions of the Act of Congress, approved March 1, 1877, relating to indemnity school lands improperly listed to the State of California, also, to surrender to the United States any sixteenth or thirty-sixth sections, or other reservations made by the United States—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

C. H. WARD, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 113—An Act to provide for the completion of the State Capitol fence, and to appropriate money therefor.

Also, Senate Bill No 124—An Act to appropriate the sum of two thousand four hundred dollars for the purpose of paying the rent of the Hastings College of Law, San Francisco.

Also, Assembly Bill No. 83—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to revenue.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

Senate Bill No. 113 was referred to the Committee on Public Buildings and Grounds.

Senate Bill No. 124 was referred to the Committee on Ways and Means.

SENATE CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 108—An Act to enable the State of California to make a proper exhibition of material resources at the World's Exposition at New Orleans.

EDWIN F. SMITH, Secretary.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Douglas: Assembly Bill No. 494—An Act to confer power upon incorporated cities and towns to remove Chinese without the limits of such cities and towns, or to provide for their location within prescribed portions of those limits.

Referred to Committee on Chinese Immigration and Emigration.

By Mr. Barnes: Assembly Bill No. 495—An Act to amend section one hundred and forty-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, in relation to Coroner.

Referred to Committee on County and Township Governments.

By Mr. Munday: Assembly Bill No. 496—An Act to amend section three thousand four hundred and eighty-eight of "An Act to establish a Political Code," approved March 12, 1872, relating to public lands.

Referred to Committee on Agriculture.

By Mr. Moffitt: Assembly Bill No 497—An Act to establish a Meteorological Bureau in connection with the State University of California, and making an appropriation therefor.

Referred to Committee on Education.

By Mr. Henley: Assembly Bill No. 498—An Act to amend sections one thousand seven hundred and thirteeen and one thousand six hundred and twenty-two of the Political Code, relating to public schools.

Referred to Committee on Education.

By Mr. Daley: Assembly Bill No. 499—An Act relating to interest.

Referred to Committee on Crimes and Penalties.

By Mr. Jones: Assembly Bill No. 500—An Act to declare the American River navigable.

Referred to Committee on Commerce and Navigation.

Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Douglas, Edwards, Ellison, Franklin, Gouchet, Hazard, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Lovell, May, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Swayne, Van Voorhies, Watson of Alameda, and Mr. Speaker—48.

NOES—Messrs Beard, Colby, Firebaugh, Gregory, Heath, Heywood, Roseberry, and Weaver—8.

Title approved.

Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Beard, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Franklin, Goucher, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McJunkin, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr Speaker—57.

NOES—Messrs. Buhlert and Firebaugh—2.

Title approved.

Assembly Bill No. 78—An Act supplementary to an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Morris, Patterson, Pellet, Porter, Reeves, Russ, Swayne, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, Yule, and Mr. Speaker—49.

NOES—Messrs. Barnett, Beard, Dooling, Heath, Laughlin, Loud, McLean, Moffitt, Van Voorhies, Weaver, and Woodward—11.

Title approved.

Assembly Bill No. 152—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution, by adding a new subdivision thereto, to be known as subdivision fourteen.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Edwards, Firebaugh, French, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Porter, Russ, Torrey, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—56.

NOES—Messrs. Allen and Beard—2.

Title approved.

Assembly Bill No. 148—An Act to amend section nine of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Corcoran, Culver, Davis, DeWitt, Dooling, Edwards, Ellison, Goucher, Gregory, Hazard, Henry, Heywood, Hollister, Jones, Lafferty, McDonald, McGlashan, McLean, Mears, Moffitt, Morris, Pellet, Porter, Sullivan, Swayne, Torrey, Watson of Alameda, Ward of San Francisco, Weaver, Woodward, and Yule—41.

NOES—Messrs. Banbury, Beard, Cook, Deveny, Firebaugh, Franklin, Heath, Hunt, Hussey, Jordan, Laughlin, Long, Loud, Lovell, May, McMurray, Patterson, Pyle, Russ, Van Voorhies, Walrath, Ward of Butte, Wood, and Mr. Speaker—25.

Title approved.

SPECIAL ORDERS.

The time for the consideration of special orders for eleven o'clock A. M. this day having arrived, Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880—was taken up.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Jordan, the House went into Committee of the Whole, for the purpose of considering Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Mr. Jordan in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880—and report progress, and ask leave to sit again.

Report received.

RECESS.

At twelve o'clock and thirty minutes, the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

QUESTION OF PRIVILEGE.

Mr. McGlashan rose to a question of privilege upon an article published in this morning's San Francisco Examiner, regarding the conduct of certain assistant clerks.

He pronounced the statement untrue.

His statement was corroborated by other members of the House.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Jordan, the House went into Committee of the Whole for the purpose of further considering Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Mr. Jordan in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880—and now report it back, and recommend its passage, as amended.

Report received.

The amendments of the Committee of the Whole were concurred in.

Mr. Barnett moved to amend, by striking out in section four, the words "and the sum of one hundred and ninety thousand dollars."

Roll call demanded by Messrs. Cook, Van Voorhies, and Beard.

The motion was lost by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnett, Beard, Coleman, Cook, Corcoran, Dooling, Edwards, Firebaugh, Goucher, Gregory, Hazard, Heath, Henley, Laughlin, McGlashan, McJunkin, McLean, Mears, Moffitt, Munday, Pellet, Pyle, Reeves, Roseberry, Torrey, Weaver, and Woodward—30.

NOES—Messrs. Barnes, Britt, Buhlert, Carter of Solano, Clark, Colby, Culver, Daley, Davis, Deveny, Douglas, Ellison, Franklin, French, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Loud, Lovell, May, McDonald, McMurray, Morris, Patterson, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, Yule, and Mr. Speaker—41.

Mr. Yule moved the previous question.

So ordered.

The question being upon the bill being ordered engrossed and read the third time, the roll was demanded by Messrs. Buhlert, Pyle, and McJunkin.

The bill was ordered engrossed, and to be read third time, by the following vote:

AYES—Messrs Barnes, Britt, Buhlert, Clark, Colby, Culver, Daley, Davis, Deveny, Douglas, Ellison, Franklin, French, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Lovell, May, McDonald, McMurray, Morris, Patterson, Sullivan, Swayne,

Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Yule, and Mr. Speaker—40

Noes—Messrs. Allen, Ashe, Banbury, Barnett, Beard, Black, Carter of Solano, Coleman, Cook, Corcoran, DeWitt, Dooling, Edwards, Firebaugh, Goucher, Gregory, Hazard, Heath, Henley, Laughlin, Loud, McClashan, McJunkin, McLean, Mears, Moffitt, Munday, Pellet, Porter, Pyle, Reeves, Russ, Torrey, Weaver, and Woodward—35.

SPECIAL ORDERS.

Special orders for two o'clock P. M. this day now being in order, Assembly Bill No. 403—An Act to establish a branch State Normal School—was taken up.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Weaver, the House went into Committee of the Whole for the purpose of considering Assembly Bill No. 403—An Act to establish a branch State Normal School.

Speaker Parks in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report, as follows:

Gentlemen. The Committee of the Whole have had under consideration Assembly Bill No. 403—An Act to establish a branch State Normal School—and now report the same back, and recommend its passage.

Report received.

The Committee on Education offered to amend as follows: strike out in section one, the word "branch."

So ordered.

Also, strike out, in section two, the word "branch" wherever it occurs.

So ordered.

Also, insert in section two, the words "without charge to the State."

So ordered.

Also, strike out all of section three.

So ordered.

Also, strike out, in section four, the word "fifty," and insert in lieu thereof the word "thirty."

So ordered.

Also, strike out, in section four, the figure "4," and insert in lieu thereof the figure "3."

So ordered.

Also, insert, in section four, the words "and twenty thousand dollars for the furnishing and support of the same for two years."

So ordered.

Also, strike out, in section five, the figure "5," and insert in lieu thereof the figure "4."

So ordered.

Also, strike out, in section five, the word "branch."

So ordered.

Also, strike out all of section six.

So ordered.

Also, strike out, in section seven, the figure "7," and insert in lieu thereof the figure "5."

So ordered.

Also, insert, in the title, the words "in Shasta County, and to maintain the same."

So ordered.

Mr. Henry presented a petition from the citizens of Butte County, protesting against the passage of the bill.

Objection was made to the reading of the petition, but the House ordered it read.

Mr. Ellison moved to amend as follows: strike out, in section one, the words "County of Shasta," and insert in lieu thereof "northern part of State."

Roll call was demanded by Messrs. Ellison, Douglas, and Watson of El Dorado.

The motion was lost by the following vote:

AYES—Messrs. Ashe, Banbury, Barnett, Beard, Black, Carter of Solano, Corcoran, Dooling, Edwards, Ellison, Henley, Henry, Heywood, Laughlin, McGlashan, Munday, Porter, Russ, Swayne, Van Voorhies, Walrath, Watson of Alameda, Weaver, and Woodward—24.

NOES—Messrs. Allen, Almy, Barnes, Britt, Buhlert, Carter of Contra Costa, Clark, Colby, Coleman, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Pyle, Reeves, Roseberry, Sullivan, Torrey, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Yule, and Mr. Speaker—51.

Mr. Walrath moved the previous question.

So ordered.

The question then recurring on ordering the bill engrossed, and to be read third time, the roll call was demanded by Messrs. Weaver, French, and Deveny.

Bill ordered engrossed, and to be read third time, by the following vote:

AYES—Messrs. Allen, Almy, Barnes, Buhlert, Carter of Contra Costa, Culver, Daley, Davis, Deveny, Douglas, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Hollister, Hunt, Hussey, Johnson, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Sullivan, Torrey, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Yule, and Mr. Speaker—49.

NOES—Messrs. Ashe, Barnett, Beard, Black, Britt, Carter of Solano, Clark, Colby, Coleman, Corcoran, DeWitt, Dooling, Edwards, Ellison, Henley, Henry, Heywood, Jones, Laughlin, McGlashan, Munday, Russ, Swayne, Van Voorhies, Weaver, and Woodward—26.

NOTICE OF RECONSIDERATION.

Mr. Watson of Alameda gave notice that he would move, to-morrow, February 12, 1885, to reconsider the vote whereby Assembly Bill No. 148 was passed.

MOTION TO ADJOURN.

At four o'clock and fifteen minutes, Mr. Corcoran moved that the House adjourn.

The roll call was demanded by Messrs. Corcoran, Patterson, and Heywood.

The motion was lost by the following vote:

AYES—Messrs. Banbury, Barnes, Barnett, Beard, Black, Buhlert, Clark, Colby, Corcoran, Deveny, DeWitt, Dooling, Firebaugh, Franklin, French, Gregory, Heath, Henley, Hussey, Kalben, McGlashan, McLean, McMurray, Moffitt, Munday, Russ, Watson of El Dorado, Ward of Butte, and Ward of San Francisco—28.

NOES—Messrs. Allen, Almy, Ashe, Britt, Carter of Contra Costa, Carter of Solano, Coleman, Cook, Culver, Daley, Davis, Edwards, Ellison, Goucher, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McJunkin, Mears, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Van Voorhies, Walrath, Watson of Alameda, Weaver, Wood, Woodward, Yule, and Mr. Speaker—44.

SPECIAL ORDERS—(RESUMED).

Mr. Munday moved to make Assembly Concurrent Resolution No. 8 a special order for Thursday, February 12, 1885, at two o'clock P. M.

Mr. Jordan moved to amend, by making the resolution a special order for Monday, February 16, 1885, at two o'clock P. M.

Amendment adopted.

The question then being on the motion to make the special order as amended, it was so ordered.

Mr. Munday moved to make Assembly Bill No. 290 a special order for Monday, February 16, 1885, at two o'clock and thirty minutes P. M.

Lost.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Watson of Alameda:

Resolved, That the Senate be requested to return to the Assembly Assembly Bill No 148—An Act to amend section nine of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

So ordered.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 12, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.
Prayer by the Chaplain.
Pending the reading of the Journal, Mr. Swayne moved that the further reading be dispensed with.
So ordered.
Journal approved.

LEAVE OF ABSENCE.

Mr. Carter of Solano was granted leave of absence for one day.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Also, Assembly Bill No. 88—An Act to diminish the cost of judicial proceedings, and to regulate the fees of Sheriffs and certain other officers.

Also, Assembly Bill No. 403—An Act to establish a branch Normal School.

DEVENY, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1885.

MR SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled:

Assembly Bill No. 83—Entitled "An Act to amend section three thousand seven hundred and eighty-eight of the Political Code of the State of California," relating to revenue.

And the same was, at two o'clock and twenty-five minutes P. M., February 11, 1885, presented to the Governor for his approval

Also, Assembly Concurrent Resolution No 11—Relative to sending the mineral collection of the State Mining Bureau to the World's Fair and Cotton Centennial Exposition at New Orleans.

And the same was, at eleven o'clock and five minutes A. M., February 11, 1885, presented to the Governor for his approval.

DALEY, Chairman.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1885.

MR SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No 348—Entitled "An Act to appropriate fifteen thousand dollars for the erection of a monument, commemorative of the discovery of gold in California, the same to be erected after the death of James W. Marshall, the discoverer of gold, the said sum to be invested in such securities as the State Board of Examiners may deem best, and the interest accruing therefrom to be paid to the said James W. Marshall during his lifetime"—have had the same under consideration, and respectfully report the same back, with substitute, and recommend that the substitute do pass.

Also, Assembly Bill No. 406—Entitled "An Act to compel individuals, companies, or corporations, possessing, owning, or controlling water for purpose of irrigation, or mining, to distribute the water pro rata among purchasers in time of scarcity, or drought"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

YULE, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 429—An Act to amend section one thousand and ninety-one of the Code of Civil Procedure, relating to the writ of mandate—recommend that it do not pass.

Also, Assembly Bill No. 191—An Act to repeal chapter fifteen, title seven, part three, of the Political Code of the State of California—recommend that it do pass.

Also, Assembly Bill No. 192—An Act to repeal chapter seventy-three of the Statutes of California of 1883, entitled an Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, numbered four thousand and forty-five, relative to the general permanent powers of Boards of Supervisors, and fixing licenses, approved March 13, 1883—recommend passage of substitute herewith.

Also, Assembly Bill No. 193—An Act to repeal chapter two hundred and sixty-four of the Statutes of California, entitled "An Act to establish pounds in the County of San Mateo," approved March 18, 1876, and all Acts amendatory thereof or supplementary thereto—recommend that it do not pass.

Also, Senate Bill No. 30—An Act to amend section one thousand one hundred and seventy-two of the Penal Code, and to provide for exceptions in criminal cases—recommend that it do pass.

ELLISON, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1885.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 481—An Act to amend section two thousand three hundred and forty-nine of the Political Code—have had the same under consideration, and respectfully report the same back, with an amendment, and recommend that it do pass as amended.

Also, Assembly Bill No. 396—An Act to amend an Act entitled "An Act to grant to Boards of Health in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings," approved March 15, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Senate Bill No 73—An Act to grant to Boards of Health, or Health Officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers.

Also, Assembly Bill No. 447—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and eighty-six, and seven hundred and eighty-nine of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883

Also, Assembly Bill No. 450—An Act to abolish all Commissioners, or Boards of Commissioners, heretofore created or appointed to construct or to complete the construction of any building or edifice for any county, or city and county, and providing for the Board of Supervisors, or other governing body, of any county, or city and county, constructing or completing the construction of any building authorized to be erected for county, or city and county, uses, and repealing all conflicting Acts heretofore passed

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

LOUD, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1885.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 477—An Act to amend an Act to establish and support a Bureau of Labor Statistics, approved January 18, 1883—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend the passage of the substitute.

ALLEN, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1885.

MR SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Military Affairs, on the occasion of their visit to San Francisco—have had the same under consideration, and recommend that the following named members be entitled to mileage for one hundred and sixty-eight miles Messrs. Banbury, Coleman, Heath, Douglas, Wood, and Clerk Harkness.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of one hundred dollars and eighty cents in favor of J. Banbury for above mileage, payable out of the Contingent Fund of the Assembly.

So ordered.

Also, The report of the Committee on Education, on the occasion of their visit to Berkeley—have had the same under consideration, and recommend that the following named members be allowed mileage for one hundred and ninety-two miles. Messrs. Jordan, Long, Lovell, Hunt, and Clerk Havens

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of ninety-six dollars in favor of W. H. Jordan for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1885.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 37—Entitled "An Act making appropriations for the support of the Government of the State of California for the thirty-seventh and thirty-eighth fiscal years"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MAY, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1885.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following resolution:

Resolved, That on and after the fifteenth of February no bills be introduced in the Assembly—have had the same under consideration, and respectfully report the same back, and recommend that it be amended to read as follows.

Resolved, That no bills be introduced into the Assembly after February 18, 1885.

WEAVER, Chairman.

Amendment offered by the committee lost.

The question then being upon the adoption of the resolution, it was lost.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1885.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 463—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to county job printing, stationery and blank books, and county advertising—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No. 344—An Act to repeal sections seven hundred and seventy-eight, seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one, and to amend section seven hundred and eighty-two of the Political Code, relating to printing the Supreme Court Reports—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

PYLE, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1885.

MR. SPEAKER: *Your Committee on Agriculture, to whom was referred Assembly Bill No. 163*—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

G. W. T. CARTER, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, February 11, 1885.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 82—An Act to amend section six hundred and thirteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to cemetery corporations.

Also, Assembly Bill No. 108—An Act to enable the State of California to make a proper exhibition of her material resources at the World's Exposition at New Orleans.

GEORGE STONEMAN, Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 10, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 133—An Act to limit the time in which State officers, who are by law required to make monthly reports to the State Controller, may file said reports.

Also, Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grove.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

Senate Bill No. 133 was referred to Committee on Judiciary.

Senate Bill No. 164 was referred to Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. McJunkin: Assembly Bill No. 501—An Act to pay for professional services rendered on behalf of the people in the case of the People vs. Parks, wherein the Supreme Court declared the Act to promote drainage unconstitutional.

Referred to Committee on Claims.

By Mr. Allen: Assembly Bill No. 502—An Act to promote drainage.

Referred to Committee on Water Rights and Drainage.

By Mr. Munday: Assembly Bill No. 503—An Act to amend section three thousand seven hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Referred to Committee on Judiciary.

By Mr. McLean: Assembly Bill No. 504—An Act to create the County of Los Alamos, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization, and funds for its support by the issue of bonds or otherwise, and for this purpose to provide for taking the census of Santa Barbara County.

Referred to Committee on County and Township Governments.

By Mr. Hussey: Assembly Bill No. 505—An Act to provide for the inspection and sealing of gas meters, and for the protection of consumers of illuminating gas.

Referred to Committee on Municipal Corporations.

By Mr. Moffitt: Assembly Bill No. 506—An Act to amend section three hundred and seventy-nine of the Penal Code.

Referred to Committee on Crimes and Penalties.

By Mr. Van Voorhies: Assembly Bill No. 507—An Act to amend the Civil Code, relating to insurance, and to add a new section thereto, to be known as section four hundred and fifty-three.

Referred to Committee on Corporations.

Also, Assembly Bill No. 508—An Act to amend the Civil Code, relating to insurance, to add a new section thereto to be known as section four hundred and thirty-two.

Referred to Committee on Corporations.

By Mr. French: Assembly Bill No. 509—An Act to establish a State Board of Silk Culture, and to provide moneys for the expense thereof.

Referred to Committee on Silk Culture.

RECONSIDERATION.

Mr. Corcoran moved to reconsider the vote whereby Assembly Bill No. 148—An Act to amend section nine of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878—was passed.

Roll call demanded by Messrs. Barnett, Munday, and Watson of Alameda.

The motion was lost by the following vote:

AYES—Messrs. Ashe, Banbury, Beard, Black, Clark, Coleman, Cook, Deveny, Firebaugh, Franklin, Heath, Jordan, Laughlin, Loud, Lovell, May, McMurray, Patterson, Pyle, Walrath, Wood, and Yule—22.

NOES—Messrs Allen, Almy, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Corcoran, Culver, Daley, Davis, DeWitt, Dooling, Douglas, Edwards, Ellison, French, Goucher, Gregory, Hazard, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Kalben, Lafferty, Long, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of El Dorado, Weaver, and Woodward—50.

SPECIAL ORDERS.

On motion of Mr. May, Assembly Bill No. 290—An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art—a special order of Wednesday, and which was left in the position of unfinished business yesterday—was taken up.

Read second time.

The Committee on Education offered the following amendments: strike out, in section one, line one, of printed bill, the words "are to," and insert in lieu thereof the word "shall."

So ordered.

Also, strike out, in section two, line two, of printed bill, the word "an," and insert in lieu thereof the word "a."

So ordered.

Also, strike out, in section two, all after the words "and such property be common property," and insert in lieu thereof the words "both husband and wife must join in such grant."

So ordered.

Also, insert, in section three, after the words "deserving scholars of the public," the words "and private."

So ordered.

Also, strike out, in section five, after the words "by the terms of the grant are," the words "devolved upon," and insert in lieu thereof the words "enjoined upon and vested in."

So ordered, wherever such occurs.

Also, strike out, in section five, after the word "shall," the words "devolved upon and," and insert in the next line after the word "exercised," the words "and perform."

So ordered.

Also, insert, in section five, after the words "surviving wife," the words "during his or her life."

So ordered.

Also, strike out, in section five, after the words "such powers and duties shall," the words "vest absolutely in," and insert in lieu thereof the words "devolve upon."

So ordered.

Also, insert, in section five, after the words "vest absolutely in and," the word "shall."

So ordered.

Also, strike out, in section six, after the words "or persons of absolute," the word "disposition," and insert in lieu thereof the word "dominion."

So ordered.

Also, strike out, in section six, after the words "the same absolute,"

the words "power of disposition," and insert in lieu thereof the word "dominion."

So ordered.

Also, strike out, in section eight, after the words "after such grant," the word "was," and insert in lieu thereof the words "shall have been."

So ordered.

Also, strike out, in section nine, between the words "execution" and "issue," the word "is," and insert in lieu thereof the words "shall be."

So ordered.

Also, strike out, in section nine, between the words "sale" and "ordered," the word "is," and insert in lieu thereof the words "shall be."

So ordered.

Also, strike out, in section nine, after the words "after such grant" the word "was," and insert in lieu thereof the words "shall have been."

So ordered.

Also, insert, in section nine, after the words "under any," the words "judgment obtained in any."

So ordered.

Also, strike out, in section nine, between the words "satisfy" and "judgment," the word "the," and insert in lieu thereof the word "such."

So ordered.

Also, strike out, in section nine, all after the words "to satisfy the judgment," and insert in lieu thereof the words "provided nothing in this section contained shall be construed to affect mechanics' or laborers' liens."

So ordered.

Mr. Barnett moved to strike out section six.

Lost.

Mr. May moved to amend the bill, by adding a new section seven, and to renumber the other sections.

The new section seven offered is as follows:

SEC. 7. The person making such grant may therein provide that the Trustees named in the grant, and their successors may, in the name of the institution or institutions, become the custodian of the person of minors, with full powers of control over such minors free from parental interference, and when any such provision is made in a grant, the Trustees and their successors may take such custody and control in the manner, and for the time, and in accordance with the provisions of sections two hundred and sixty-four to two hundred and seventy-six, inclusive, of the Civil Code of the State of California.

Passed and pending.

Ordered to be printed.

Mr. Hazard moved to amend the section seven offered by Mr. May as follows: strike out the words "with full power of control over such minors free from parental interference."

Passed and pending.

Ordered to be printed.

Mr. Munday moved to amend section ten by adding thereto the following:

Provided, That no wish, direction, act, or condition expressed, made, or given by any grantor, or grantors, under or by virtue of this Act, as to religious instruction to be given in such school, college, seminary, mechanical institute, museum, or gallery of art, or in respect to the exercise of religious belief on the part of any pupils of such school, or institution of learning, shall be binding upon the State, nor shall the State enforce, or permit to be enforced, or carried out, any such wish, direction, act, or condition.

Passed and pending.
Ordered to be printed.
Mr. Coleman moved to amend the bill as follows:

SEC. 12. The teaching of any religion, or the inculcation of any particular system of metaphysics, is absolutely prohibited in any school, college, or university founded under the provisions of this Act, whenever such school, college, or university shall be devised, bequeathed, or granted to the State.

Passed and pending.
Ordered to be printed.
Mr Hazard moved to amend, by inserting at the end of section ten the following:

Provided, however, that nothing herein shall affect the rights of creditors.

Passed and pending.
Ordered to be printed.
Further consideration of the bill was suspended, to await the printing of the bill and amendments offered.
The special order for eleven o'clock, Assembly Bill No. 109—An Act to regulate the fees of office of County Clerks—was now taken up.
Mr. Firebaugh moved to reconsider the vote whereby the bill was passed to engrossment and third reading.
So ordered.
Mr. Corcoran moved to strike out the enacting clause.
Mr. McLean moved the previous question.
So ordered.
The question then being on the motion of Mr. Corcoran, the enacting clause was ordered stricken out on division—ayes, 31; noes, 19.

SPECIAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 77—An Act making an appropriation for a deficiency in the appropriation for traveling expenses of the State Board of Equalization for the thirty-fifth fiscal year.
Read first time, and ordered to second reading.
Assembly Bill No. 124—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses of the Supreme Court for the thirty-fifth fiscal year.
Read first time, and ordered to second reading.
Assembly Bill No. 125—An Act making an appropriation for the deficiency in the appropriation for continuing special investigation in the Agricultural Department of the State University for the thirty-fifth fiscal year.
Read first time, and ordered to second reading.
Assembly Bill No. 127—An Act making an appropriation for the deficiency in the appropriation for salary of Clerk to the State Board of Equalization for the thirty-fifth fiscal year.
Withdrawn by consent of the House.
Assembly Bill No. 235—An Act making an appropriation for the deficiency in the appropriation for stationery, fuel, lights, etc., for the State Capitol building, for the thirty-third fiscal year.
Read first time, and ordered to second reading.

SECOND READING OF BILLS.

Mr. Dooling moved that the rules be suspended, and Assembly Bills Nos. 123, 161, 199, 201, and 202 be considered without going into Committee of the Whole.

So ordered.

Assembly Bill No. 123—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, which may be incurred under section forty-seven of the Code of Civil Procedure, during the thirty-fifth and thirty-sixth fiscal years.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 161—An Act to provide for the deficiency in the appropriation for the salary of Clerk of the Supreme Court during the thirty-fourth fiscal year.

Read second time, ordered engrossed, and to be read third time

Assembly Bill No. 199—An Act making an appropriation for the deficiency in the appropriation for expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the thirty-second fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 201—An Act making an appropriation for the deficiency in the appropriation for the payment of rewards offered by the Governor for the thirty-first fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 202—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirtieth fiscal year.

Read second time, ordered engrossed, and to be read third time.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 222—An Act to amend an Act, approved January 14, 1868, entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Beard, Black, Britt, Buhlert, Clark, Colby, Coleman, Cook, Corcoran, Culver, DeWitt, Edwards, Gregory, Hazard, Heath, Henry, Heywood, Hunt, Laughlin, Loud, Lovell, May, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Pyle, Reeves, Roseberry, Russ, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, and Woodward—45.

NOES—None.

Title approved.

Assembly Bill No. 42—An Act to amend section four hundred and twelve of the Political Code, relative to prize fighting.

Passed on the file.

Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Passed on the file.

Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

Mr. Barnes offered a remonstrance to the passage of the bill, from the citizens of Vallejo.

Objection was made to the reading of same, but the House ordered it read.

Mr. Corcoran moved to re-refer the bill to the Committee on Education, with instructions to amend as follows: strike out all after the word "Home," in line two, section seven, down to and including the word "had," in line five, same section, and insert in lieu thereof the words "suitable building and grounds."

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.

QUESTION OF PRIVILEGE.

Mr. May rose to a question of privilege upon an article appearing in the San Francisco Call of to-day, reflecting on himself. He characterizes the same as untrue.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 89—An Act to establish a California Home for the care and training of feeble-minded children, was further considered.

The question being upon the motion of Mr. Corcoran to re-refer the bill to the Committee on Education, with special instructions to amend, Mr. Corcoran withdrew his amendment, by consent of the House, and the following amendment, offered by Mr. Jordan, was substituted: strike out of section seven, all after the word "Home," and insert in lieu thereof the following: "such property as they may deem most advantageous for the uses of the institution. The property, when furnished and ready for occupancy, must not exceed in cost the sum of thirty-two thousand five hundred dollars. The Trustees shall purchase such property wherever in this State they may, by majority vote, determine."

Mr. Munday moved to instruct the Committee on Education to amend as follows: strike out, in section seven, after the words "at a cost not to exceed," the words "thirty-two thousand five hundred," and insert in lieu thereof the words "fifteen thousand."

Withdrawn by consent of the House.

Also, strike out, in section twenty, the words "forty-five thousand," and insert in lieu thereof the words "twenty-five thousand."

Withdrawn by consent of the House.

Mr. Corcoran moved to instruct the Committee on Education to amend as follows: strike out, in section seven, after the words "at a cost not to exceed," the words "thirty-two thousand five hundred," and insert in lieu thereof the words "twenty-five thousand."

Mr. Britt moved the previous question.

So ordered.

The question then being upon the adoption of amendment offered

by Mr. Corcoran, the roll call was demanded by Messrs. May, Daley, and Morris.

The amendment was adopted by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Britt, Buhlert, Clark, Colby, Coleman, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Franklin, Gregory, Heath, Henley, Henry, Heywood, Hollister, Johnson, Jones, Kalben, Lafferty, Laughlin, McJunkin, McMurray, Moffitt, Morris, Munday, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, and Woodward—53

NOES—Messrs. Cook, Firebaugh, Hunt, Hussey, Jordan, Long, Loud, May, McDonald, Mears, Patterson, Pellet, Watson of Alameda, Yule, and Mr. Speaker—15.

The question then recurring on the adoption of the special instructions to the Committee on Education, it was so ordered.

MOTION.

Mr. Weaver moved that Assembly Bill No. 410 be taken from the General File and considered.

The roll call was demanded by Messrs. Porter, Culver, and Ward of Butte

The motion was lost by the following vote:

AYES—Messrs Ashe, Barnes, Barnett, Beard, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Culver, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Franklin, Goucher, Hazard, Heath, Johnson, Loud, McDonald, McGlashan, Moffitt Morris, Pellet, Pyle, Reeves, Roseberry, Russ, Ward of Butte, Weaver, Woodward, Yule, and Mr. Speaker—36.

NOES—Messrs Allen, Almy, Britt, Buhlert, Colby, Corcoran, Daley, Davis, Firebaugh, Gregory, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben Lafferty, Laughlin, Long, May, McLean, McMurray, Mears, Munday, Patterson, Porter, Sullivan, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, and Ward of San Francisco—36.

Mr. McJunkin moved that the Committee on Commerce and Navigation be instructed to report back immediately Assembly Bill No. 226.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No 89, with special instructions to amend—have had the same under consideration, and respectfully report the same back, having obeyed the instructions of the House.

JORDAN, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1885.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 226—An Act to amend sections two thousand four hundred and thirty, two thousand four hundred and fifty-seven, two thousand four hundred and fifty-eight, two thousand four hundred and sixty-four, two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven, and two thousand four hundred and sixty-eight of the Political Code, relating to pilots and pilot regulations—herewith report the same back, by order of the Assembly.

LOVELL, Chairman.

SPECIAL ORDERS.

Special order for two o'clock P. M., this day being next in order, Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to

the State Treasurer, any receipts for moneys paid to the State Treasurer, on deposit or otherwise—was taken up.

Mr. Weaver moved to make the bill a special order for Friday, February 13, 1885, at ten o'clock and thirty minutes A. M.

So ordered.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Banbury, Barnes, Barnett, Beard, Black, Britt, Clark, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—60.

NOES—Messrs. Allen, Ashe, Colby, Coleman, Cook, Daley, Loud, Pyle, and Reeves—9

Title approved.

Assembly Constitutional Amendment No. 2:

AN ACT

To propose an amendment to section one (1), of article (13) thirteen, of the Constitution, relating to revenue and taxation Proposed amendment to the Constitution.

The Legislature of the State of California, at its twenty-sixth session, commencing on the (5th) fifth day of January, A D. one thousand eight hundred and eighty-five, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby proposes that section one (1), of article (13) thirteen, of the Constitution of the State of California, be amended to read as follows:

ARTICLE XIII.

SECTION 1. All property in the State, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership: *provided*, that growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county or municipal corporation within this State, shall be exempt from taxation, *provided, also*, that growing vines and fruit trees be exempt from taxation for the period of five years from the time of their planting. The Legislature may provide, except in the case of credits secured by mortgage or trust deed, for a reduction from credits of debts due to bona fide residents of this State.

Read third time.

The roll was called, and the constitutional amendment, failing to receive a constitutional two-third majority, was lost by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Carter of Contra Costa, Clark, Cook, Culver, Daley, Davis, Dooling, Edwards, Franklin, Goucher, Heath, Henley, Heywood, Hollister, Johnson, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Swayne, Torrey, Watson of Alameda, Ward of San Francisco, and Mr. Speaker—42.

NOES—Messrs Barnett, Beard, Britt, Colby, Coleman, Corcoran, Ellison, Firebaugh, French, Gregory, Hazard, Hunt, Hussey, Jones, McDonald, McGlashan, McJunkin, Morris, Russ, Watson of El Dorado, Ward of Butte, Weaver, Wood, and Woodward—24.

NOTICE OF RECONSIDERATION.

Mr. Coleman gave notice that he would move to reconsider the vote whereby Assembly Constitutional Amendment was lost.

Assembly Bill No. 85—An Act to facilitate the giving of bonds required by law.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Beard, Black, Britt, Carter of Contra Costa, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Edwards, French, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McMurray, Moffitt, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Torrey, Walrath, Watson of Alameda, Ward of Butte, Weaver, Wood, Woodward, Yule, and Mr. Speaker—54.

NOES—Messrs. Barnett, Coleman, Ellison, Gregory, McLean, Swayne, and Watson of El Dorado—7.

Title approved.

SECOND READING OF BILLS.

Assembly Bill No. 19—An Act to provide for the division of existing counties, and for the creation of new counties; to determine the location of county seats by an election; to declare the manner of providing officers; to provide funds for their support by the issuance of bonds, and to determine what portion of old county debts is chargeable to such new counties.

Passed on the file.

FIRST READING OF BILLS.

Assembly Bill No. 178—An Act to regulate and limit the charges for services performed by telegraph corporations.

Refused first reading.

Assembly Bill No. 181—An Act to amend section two thousand two hundred and nine of the Civil Code, in relation to damages awarded when telegraphic messages are refused or postponed.

Refused first reading.

Assembly Bill No. 182—An Act to regulate the rate of charges upon telegraph lines, and to prevent extortion by owners of telegraph lines.

Refused first reading.

Assembly Bill No. 267—An Act to amend section two thousand five hundred and thirty-eight of the Civil Code, in relation to insurance.

Read first time, and ordered to second reading.

Assembly Bill No. 284—An Act to amend section three hundred and fifty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to powers of incorporations.

Read first time, and ordered to second reading.

Senate Concurrent Resolution No. 5—Relating to the reformation of youthful criminals, and to properly care for discharged prisoners.

Read, with amendment offered by the Committee on State Prisons, as follows: add, at the end of the resolution, the words "except such expense as may be incurred in the employment of a Secretary."

Amendment adopted.

The question then being upon the adoption of the resolution, as amended, it was so ordered.

Assembly Bill No. 54—An Act in relation to estray animals, and to provide for the taking up and disposition of the same.

Read first time, and ordered to second reading.

Assembly Concurrent Resolution No. 14—Relative to the adulteration of food—was read.

The substitute offered by Committee on Federal Relations was lost.
Concurrent Resolution No. 14 adopted.

MOTION.

Mr. Firebaugh moved that the Committee on Commerce and Navigation be instructed to report back Assembly Bill No. 247 immediately.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Concurrent Resolution No. 16—Relative to a system of defenses on the Pacific Coast.

Read and adopted.

Assembly Bill No. 31—An Act to amend an Act entitled "An Act declaring Islais Creek, in the City and County of San Francisco, a navigable stream," approved March 26, 1868, and to amend an Act entitled "An Act approved March 28, 1868, to amend an Act entitled 'An Act granting to certain persons therein named the right to lay a railroad track along certain streets in the City and County of San Francisco,' approved April 2, 1866, and to require the State Harbor Commissioners to remove certain obstructions from Islais Creek, in the City and County of San Francisco, and to build a drawbridge thereon, and to authorize its payment."

Passed on file.

Senate Concurrent Resolution No. 6—Relative to the restriction of Chinese immigration.

Read and adopted.

Assembly Bill No. 382—An Act to amend an Act entitled "An Act to promote emigration from the State of California," approved March 26, 1880.

Read first time, and ordered to second reading.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced and referred as follows:

By Mr. Corcoran: Assembly Bill No. 510—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Referred to Committee on Military Affairs.

SECOND READING OF BILLS.

Assembly Bill No. 65—An Act to amend section four hundred and eighty-five of the Civil Code, relating to the fencing of railroads.

Refused second reading.

Assembly Bill No. 67—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Read second time.

The Committee on Education offered to amend as follows: strike out, in section one, the words "*Be it enacted by the people of the State of California, represented in the Senate and Assembly*, That."

So ordered.

Also, strike out, in section two, the words, "who shall select there-

from six candidates." Also, the word "named," and insert in lieu thereof the word "nominated." Also, the words "the other shall be entitled to name such person or persons to fill said Board," and insert in lieu thereof the words "The Governor shall appoint them from the dental profession of California at large."

So ordered.

Also, insert, in section four, between the words "dentistry" and "may," the words "shall receive a certificate to that effect, and." Also, strike out the words "the same."

So ordered.

Also, insert, in section five, between the words "effect" and "all," the words "within ten days thereafter."

So ordered.

Also, strike out, in section eight, the words "any county, or counties, in which such person may desire to engage in the practice of dentistry, and the County Clerks in the several counties in this State, shall charge for registering such certificate a fee of one dollar for each registration," and insert in lieu thereof the words "the county in which such person may reside, and the County Clerk shall charge for registering such certificate a fee of one dollar."

So ordered.

Also, strike out, in section nine, the words "not being such graduate."

So ordered.

Also, insert the following enacting clause:

The People of the State of California, represented in Senate and Assembly, do enact as follows:

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 255—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read second time.

Mr. Hazard moved to amend, by striking out all after the enacting clause and insert the following:

SECTION 1. Section eighteen of said Act is hereby amended so as to read as follows.

Section 18. When any District Board of Agriculture shall have been classified and organized as herein provided, the Secretary of the Board shall report such classification and organization to the State Board of Agriculture, he shall also report the same to the Governor, and shall report any vacancy that may occur in the Board to the Governor, who shall fill the same by appointment for the unexpired term. The Governor shall have the power and authority to remove a Director at any time for good and sufficient cause, and to appoint a Director to fill the vacancy.

SEC. 2. This Act shall take effect immediately.

So ordered.

Bill ordered engrossed, and to be read third time.

Senate Bill No 17—An Act to amend sections eight, nine, ten, and twelve of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883.

Read second time.

Bill ordered to be read third time.

LEAVE OF ABSENCE.

Mr. Beard was granted leave of absence until Monday.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1885.

MR SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 409—An Act to authorize the cremation of the dead, and the erection, construction, location, and operation of crematories—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DEWITT, Acting Chairman.

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1885.

MR. SPEAKER. Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 247—An Act to regulate the charges for towage of ships, barks, and barkentines in the Bay of San Francisco, and the waters tributary thereto—herewith report the same back, by order of the Assembly.

LOVELL, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Pyle:

WHEREAS, The public press of this State has openly charged that collusion and fraud have been perpetrated in the office of the Secretary of State, and whereas, the State Controller has failed to investigate and report upon such charges, although cognizant that such charges have been made: therefore, be it

Resolved, That a committee of five be appointed by the Speaker, with authority to send for persons and papers, also instructed to investigate the books and papers in the office of the Secretary of State, and report to the Assembly whether or not such charges are true.

Mr. Jordan moved to indefinitely postpone.

So ordered.

ADJOURNMENT.

At five o'clock P. M., on motion of Mr. Colby, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 13, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.
Journal approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 123—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, which may be incurred under section forty-seven of the Code of Civil Procedure, during the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 161—An Act to provide for the deficiency in the appropriation for the salary of Clerk of the Supreme Court during the thirty-fourth fiscal year.

Also, Assembly Bill No. 199—An Act making an appropriation for the deficiency in the appropriation for expenses of the Supreme Court under section forty-seven of the Code of Civil Procedure for the thirty-second fiscal year.

Also, Assembly Bill No. 201—An Act making an appropriation for the deficiency in the appropriation for the payment of rewards offered by the Governor for the thirty-first fiscal year.

Also, Assembly Bill No. 202—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirtieth fiscal year.

Also, Assembly Bill No 89—An Act to establish the California Home for the care and training of feeble-minded children.

DEVENY, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1885.

MR SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 113—An Act to provide for the completion of the State Capitol fence, and for appropriating the money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also, Assembly Bill No. 490—An Act to provide for the construction of two infirmaries at the Napa State Insane Asylum for the Insane, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended by the committee.

DAVIS, Chairman.

ON HOMESTEAD AND LAND MONOPOLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1885.

MR. SPEAKER: Your Committee on Homestead and Land Monopoly, to whom was referred Assembly Bill No. 84—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HUNT, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No 441—An Act for the safety of lives—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Municipal Corporations.

Also, Assembly Bill No. 440—An Act to allow the destruction of seals and sea lions—have had the same under consideration, and respectfully report the same back, and recommend the passage of substitute

Also, Assembly Bill No. 342—An Act relating to laundries within the limits of incorporated cities—have had the same under consideration, and respectfully report the same back, without recommendation

Also, Assembly Bill No. 480—An Act to prohibit advertising for divorce actions, or for aid to procure divorces

Also, Assembly Bill No. 499—An Act relating to interest.

Also, Assembly Bill No. 452—An Act to prevent the sale of children.

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

FRENCH, Chairman.

Assembly Bill No. 441 was referred to Committee on Municipal Corporations.

MOTION.

Mr. Jordan called up the report of the Committee on Ways and Means, of February 11, 1885, and moved the adoption of the resolution contained therein, as follows:

Resolved, That the Governor be and he is hereby requested, and the Controller of State directed, to furnish at once, and in full detail, to the Assembly, a copy of each application made by any department, commission, or officer of the State, to be allowed to exceed the appropriation made therefor by the general appropriation bills, and the objects which said excess were incurred to provide for, together with a copy of the written unanimous consent of the State Board of Examiners thereto, and their statement of the unavoidable necessity therefor.

Also, that the following words be stricken out of the report of the committee: "that, although the deficiency bills referred to are all certified to by the Controller of State, who is a member of the State Board of Examiners."

Pending action, the time for the special order for ten o'clock and thirty minutes A. M. arrived.

SPECIAL ORDERS.

The time for the consideration of special orders for ten o'clock and thirty minutes A. M. this day having arrived, Assembly Bill No. 23—An Act to authorize the State Treasurer to receive, and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit or otherwise—was taken up.

Mr. McGlashan moved to strike out the enacting clause.

MOTION.

Mr. Edwards moved that Assembly Bills Nos. 72 and 326 be made special orders for two o'clock P. M. to-day.

So ordered.

Mr. Franklin moved the previous question.

So ordered.

The question then being on the motion of Mr. McGlashan, to strike out the enacting clause, the roll call was demanded by Messrs. McGlashan, Colby, and Pyle.

The motion was lost by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Buhlert, Colby, Corcoran, Culver, Dooling, Edwards, Firebaugh, French, Gregory, Hazard, Heath, Hunt, Jones, Kalben, Long, Loud, McDonald, McGlashan, McJunkin, McLean, Mears, Pellet, Porter, Reeves, Van Voorhies, Walrath, Ward of Butte, Woodward, and Yule—32.

NOES—Messrs Banbury, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Davis, Deveny, DeWitt, Douglas, Ellison, Franklin, Goucher, Henley, Henry, Hollister, Johnson, Jordan, Lafferty, Laughlin, Lovell, May, McMurray, Munday, Patterson, Pyle, Russ, Sullivan, Swayne, Torrey, Watson of El Dorado, Weaver, Whitcomb, Wood, and Mr. Speaker—38.

Mr. Davis moved the previous question.

So ordered.

The question then recurring on ordering the bill engrossed and to be read third time, the roll call was demanded by Messrs. McJunkin, Pellet, and Hunt.

The bill was ordered engrossed, and to be read third time, by the following vote:

AYES—Messrs. Banbury, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Davis, Deveny, Edwards, Ellison, Franklin, French, Goucher, Henley, Henry, Hollister, Johnson, Lafferty, Laughlin, May, McMurray, Morris, Munday, Porter, Pyle, Roseberry, Russ, Swayne, Torrey, Watson of El Dorado, Weaver, Whitcomb, Wood, and Mr. Speaker—37.

NOES—Messrs. Allen, Almy, Buhlert, Colby, Corcoran, Culver, DeWitt, Dooling, Firebaugh, Gregory, Hazard, Heath, Hunt, Hussey, Jones, Jordan, Kalben, Long, Loud, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Pellet, Reeves, Van Voorhies, Ward of Butte, Ward of San Francisco, and Woodward—31.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 12, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed substitute for Senate Bill No. 31—An Act appropriating moneys to enable the State Board of Education to carry out the provisions of section seven, of article nine, of the Constitution, relating to text-books—with title amended to read as follows An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor.

EDWIN F SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

Referred to Committee on Education.

SENATE CHAMBER, SACRAMENTO, February 11, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed substitute for Senate Bill No 114—"An Act to provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor."

EDWIN F SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

Referred to Committee on Public Buildings and Grounds.

SENATE CHAMBER, SACRAMENTO, February 12, 1885.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 427—"An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature."

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Pyle: Assembly Bill No. 511—An Act to amend section two thousand six hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Road Overseers and Road Commissioners.

Referred to Committee on Roads and Highways.

By Mr. May: Assembly Bill No. 512—An Act to authorize the Controller and Treasurer of State to transfer certain funds.

Referred to Committee on Ways and Means.

By Mr. Goucher: Assembly Bill No. 513—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Penal Code," approved April 14, 1872.

Referred to Committee on Crimes and Penalties.

By Mr. Douglas: Assembly Bill No. 514—An Act to add a new section to the Political Code, relating to the sale of opium.

Referred to Committee on Crimes and Penalties.

By Mr. Banbury: Assembly Bill No. 515—An Act to prohibit the

sale of spirituous or malt liquors, in the vicinity of school houses and houses of worship, within the State of California, and outside of any incorporated town therein.

Referred to Committee on Public Morals.

By Mr. Lafferty: Assembly Bill No. 516—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the punishment of receivers of stolen property.

Referred to Committee on Crimes and Penalties.

By Mr. French: Assembly Bill No. 517—An Act to authorize Joseph Neumann to sue the State.

Referred to Committee on Judiciary.

By Mr. Roseberry: Assembly Bill No. 518—An Act to add a new section to the Political Code, to be numbered section three thousand five hundred and fifty-seven, relative to proceedings against delinquent purchasers.

Referred to Committee on Judiciary.

By Mr. McDonald: Assembly Bill No. 519—An Act to provide for the better protection of life and limb on cable roads, and to punish negligence.

Referred to Committee on Corporations.

By Mr. Ellison: Assembly Bill No. 520—An Act to amend sections nine hundred and thirty-nine and nine hundred and sixty-three of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Mr. Pyle: Assembly Bill No. 521—An Act to authorize the erection of a five-stamp quartz mill on the State University Grounds at Berkeley, for the benefit of the Mining and Mechanic Arts College, and appropriating money therefor.

Referred to Committee on Agriculture, Mining, and Mechanic Arts College.

By Mr. Loud: Assembly Bill No. 522—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

Referred to Committee on Municipal Corporations.

RECONSIDERATION.

Mr. Coleman moved to reconsider the vote whereby Assembly Constitutional Amendment No. 2—Proposed amendment to section one, of article thirteen, of the Constitution, relative to taxation on growing crops, etc.—was lost.

Roll call demanded by Messrs. Dooling, Johnson, and Whitcomb.

The motion was carried by the following vote:

AYES—Messrs. Allen, Banbury, Barnes, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Cook, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Franklin, French, Goucher, Heath, Henry, Heywood, Hollister, Hussey, Jordan, Lafferty, Loud, Lovell, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Sullivan, Swayne, Torrey, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Yule, and Mr. Speaker—49.

NOES—Messrs. Almy, Ashe, Barnett, Colby, Coleman, Corcoran, Ellison, Firebaugh, Gregory, Hazard, Henley, Hunt, Johnson, Jones, Laughlin, May, McDonald, McGlashan, McJunkin, Russ, Watson of El Dorado, Wood, and Woodward—24.

The roll was then called upon the passage of Assembly Constitutional Amendment No. 2, and it was passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Franklin, French, Goucher, Heath, Henley, Henry, Heywood, Hollister, Hussey, Johnson, Jordan, Kalben, Lafferty, Long, Lovell, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Sullivan, Swayne, Torrey, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Yule, and Mr. Speaker—56.

NOES—Messrs. Colby, Coleman, Corcoran, Ellison, Firebaugh, Gregory, Hazard, Hunt, Jones, Laughlin, Loud, May, McDonald, McGlashan, McJunkin, Russ, Walrath, Watson of El Dorado, Weaver, Wood, and Woodward—21.

MOTION.

Mr. DeWitt moved that Assembly Bill No. 410 be taken up for consideration.

Roll call demanded by Messrs. Walrath, Jordan, and Franklin.

The motion was carried by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Franklin, French, Goucher, Gregory, Hazard, Henry, Heywood, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Reeves, Roseberry, Russ, Sullivan, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Woodward, Yule, and Mr. Speaker—65.

NOES—Messrs. Carter of Solano, Davis, Firebaugh, Heath, Hollister, McGlashan, McJunkin, Porter, Pyle, Van Voorhies, Watson of El Dorado, and Wood—12.

On motion of Mr. Weaver, Assembly Bill No. 410 was made a special order for Monday, February 16, 1885, at three o'clock P. M.

FIRST READING OF BILL.

Assembly Bill No. 410—An Act to amend title eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections, numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irrigation purposes, and declaring such purposes a public use, and to come within title seven, of part three, of the Code of Civil Procedure of this State.

Read first time, and ordered to second reading.

MOTION.

Mr. DeWitt moved that Assembly Bill No. 171 be taken up for consideration.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 171—An Act to provide for the organization and control of water and irrigation districts.

Read first time, and ordered to second reading.

Mr. Weaver moved to make Assembly Bill No. 171 a special order for Monday, February 16, 1885, at three o'clock and thirty minutes P. M.

Roll call demanded by Messrs. Allen, Davis, and McJunkin.

The motion was carried by the following vote:

AYES—Messrs. Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Clark, Coleman, Daley, Deveny, DeWitt, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Hazard, Henry, Hunt, Hussey, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McLean, McMurray, Mears, Morris, Patterson, Reeves, Russ, Sullivan, Swayne, Ward of Butte, Weaver, Whitcomb, Woodward, Yule, and Mr Speaker—44.

NOES—Messrs. Allen, Almy, Carter of Solano, Colby, Cook, Davis, Dooling, Gregory, Heath, Heywood, Hollister, Jones, Jordan, Laughlin, McGlashan, McJunkin, Moffitt, Porter, Pyle, Van Voorhies, Watson of Alameda, and Watson of El Dorado—22.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR. SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed·

Assembly Bill No. 67—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California

Also, Assembly Bill No. 255—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Also, Assembly Concurrent Resolution No. 14—Relative to the adulteration of food.

Also, Assembly Concurrent Resolution No. 16—Relative to a system of defenses on the Pacific Coast.

DEVENY, Chairman.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.

MOTION.

Mr. Yule moved that the special orders for two o'clock P. M., this day, be made special orders for Saturday, February 14, 1885, at ten o'clock and thirty minutes A. M.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Almy:

Resolved, That the Controller be authorized to draw his warrant in favor of Charles Stevens for the sum of one hundred and thirty-six dollars, for seventeen days' services as expert of Committee on State Prisons, in experting books at San Quentin prison, and for the further sum of nineteen dollars and eighty cents, mileage.

So ordered.

By Mr. Long:

Resolved, That the Controller be authorized to draw his warrant for the sum of one hundred dollars and eighty cents in favor of the Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry, for mileage in visiting San Francisco in the discharge of their duties.

Referred to Committee on Mileage.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Black, Britt, Carter of Contra Costa, Coleman, Cook, Corcoran, Culver, Daley, Deveny, Dooling, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McGlashan, McJunkin, McMurray, Munday, Patterson, Pellet, Reeves, Roseberry, Sullivan, Torrey, Ward of San Francisco, Weaver, Whitcomb, Wood, Yule, and Mr. Speaker—50.

NOES—Messrs. Allen, Ashe, Barnes, Barnett, Buhlert, Carter of Solano, Clark, Colby, Davis, DeWitt, Henry, McDonald, McLean, Mears, Morris, Porter, Russ, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, and Woodward—22.

Title approved.

Assembly Bill No. 42—An Act to amend section four hundred and twelve of the Penal Code, relative to prize fighting.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Clark, Cook, Culver, Daley, Davis, DeWitt, Edwards, Franklin, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Woodward, Yule, and Mr. Speaker—51.

NOES—Messrs. Allen, Ashe, Black, Buhlert, Colby, Coleman, Corcoran, Deveny, Dooling, Douglas, Firebaugh, French, Goucher, Henley, Johnson, Jones, Kalben, Lafferty, McDonald, Munday, Porter, Sullivan, Walrath, Watson of El Dorado, and Wood—25.

Title approved.

NOTICE OF RECONSIDERATION.

Mr. Hussey gave notice that he would move a reconsideration of the vote whereby Assembly Bill No. 42 was passed.

MESSAGES FROM THE SENATE—(OUT OF ORDER).

SENATE CHAMBER, SACRAMENTO, February 13, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 294—An Act to appropriate money to meet the contingent expenses of the Senate at its twenty-sixth session—1885.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, February 13, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, has concurred in Assembly amendment to Senate Concurrent Resolution No. 5.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

MATTER OF URGENCY.

Mr. Jordan moved that, in accordance with the provisions of the Constitution, Senate Bill No. 294—An Act appropriating money to meet the contingent expenses of the Senate for the twenty-sixth session—be made a matter of urgency, and that the provision of the Constitution requiring the reading of a bill on three separate days be suspended, and that the bill be put upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Davis, Deveny, DeWitt,

Dooling, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McLean, McMurray, Mears, Morris, Munday, Patterson, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—66.

NOES—None.

Bill read first time.

Bill read second time.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Clark, Colby, Coleman, Corcoran, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of El Dorado, Weaver, Whitcomb, Wood, Yule, and Mr. Speaker—59.

NOES—None.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 61—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time,

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Daley, Davis, Deveny, Dooling, Douglas, Edwards, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Morris, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—66.

NOES—None.

Title approved.

Assembly Bill No. 403—An Act to establish a branch State Normal School in Shasta County, and to maintain the same.

Read third time.

CALL OF THE HOUSE.

Mr. Yule moved a call of the House.

So ordered.

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

Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Swayne, Torrey, Van Voorhies, Walrath, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Hussey moved that further proceedings under the call of the House be dispensed with.

So ordered.

Mr. Douglas moved the previous question.

So ordered.

The roll was called, and Assembly Bill No. 403 passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Culver, Daley, Davis, Deveny, Douglas, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Porter, Pyle, Roseberry, Sullivan, Torrey, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Yule, and Mr. Speaker—50.

NOES—Messrs Ashe, Barnett, Black, Britt, Carter of Solano, Clark, Coleman, Corcoran, DeWitt, Dooling, Edwards, Ellison, Heath, Henley, Henry, Heywood, Laughlin, McGlashan, Munday, Reeves, Russ, Swayne, Van Voorhies, Weaver, and Woodward—25.

Title approved.

Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Buhlert, Carter of Solano, Clark, Colby, Culver, Daley, Davis, Deveny, Douglas, Ellison, Franklin, French, Goucher, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Lovell, May, McDonald, McMurray, Morris, Patterson, Porter, Pyle, Sullivan, Swayne, Van Voorhies, Walrath, Watson of El Dorado, Ward of San Francisco, Whitcomb, Wood, Yule, and Mr. Speaker—41.

NOES—Messrs. Allen, Almy, Ashe, Banbury, Barnett, Black, Britt, Coleman, Cook, Corcoran, Dooling, Edwards, Firebaugh, Gregory, Hazard, Heath, Henley, Laughlin, Long, Loud, McGlashan, McJunkin, McLean, Mears, Munday, Pellet, Reeves, Russ, Torrey, Ward of Butte, Weaver, and Woodward—32

Title approved.

Mr. McJunkin challenged the right of the Speaker to vote on Assembly Bill No. 221, under Rule 65. The Speaker voted, and directed the Chief Clerk to record his vote.

Assembly Bill No. 88—An Act to diminish the cost of judicial proceedings, and to regulate the fees of Sheriffs and certain other officers.

Read third time.

Mr. Coleman moved that the bill be referred to a special committee of one, with instructions to amend as follows: insert, in section four, line one, after the word "cases," the following words: "and in actions brought by a Board of Supervisors under section two hundred and three of the Civil Code of California."

Withdrawn by consent of the House.

Mr. Firebaugh moved that the bill be made a special order for Monday, February 16, 1885, at two o'clock P. M.

Lost.

Mr. Firebaugh moved that the bill be made a special order for Saturday, February 14, 1885, at two o'clock P. M.

Lost.

The question then being upon the passage of the bill, the roll was called, and the bill passed by the following vote:

AYES—Messrs Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Franklin, French, Goucher, Hazard, Heath, Henley, Henry, Hollister, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Yule—61.

NOES—Messrs. Ellison, Firebaugh, Long, Munday, Ward of Butte, and Mr. Speaker—6.

Title approved.

NOTICE OF RECONSIDERATION.

Mr. May gave notice that he would move to reconsider the vote whereby Assembly Bill No. 88 was passed.

MOTION.

At four o'clock and fifty-five minutes, Mr. Henry moved that the House adjourn.

Lost.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled:

Assembly Bill No. 427—Entitled "An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature."

And the same was, at two o'clock and twenty-five minutes P. M., February 13, 1885, presented to the Governor for his approval.

DALEY, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Munday:

Resolved, That the Controller is hereby authorized to pay out of the appropriation for the Contingent Fund of the Assembly, all contingent expenses now unpaid, and heretofore ordered paid, and all contingent expenses that may be hereafter ordered paid by the Assembly.

So ordered.

MOTIONS.

At five o'clock P. M., Mr. Munday moved to take a recess until seven o'clock and thirty minutes P. M.

Lost.

At five o'clock P. M., Mr. May moved that the House adjourn.

Lost.

LEAVE OF ABSENCE.

Mr. Munday was granted leave of absence until Monday.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 17—An Act to amend sections eight, nine, ten, and twelve of an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Daley, Davis, DeWitt, Dooling, Edwards, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Hollister, Johnson, Jones, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—58.

NOES—Mr. Colby—1.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 14, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

Mr. Allen asked that Mr. McJunkin's challenge of the Speaker's right to vote on Assembly Bill No. 221 be inserted in the Journal.

So ordered.

Mr. Ellison asked that his vote be recorded in the Journal of yesterday on the following bills, as he was absent at the time of roll call: On Assembly Bill No. 403, voting "no;" on Assembly Bill No. 88, voting "no;" and on Assembly Bill No. 221, voting "aye."

So ordered.

LEAVE OF ABSENCE.

Messrs. Walrath, Watson of Alameda, Black, Beard, Moffitt, Corcoran, and Almy were granted leave of absence for one day.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Jordan:

Resolved, That Rule One of the Standing Rules of the Assembly be changed, to read as follows "A recess shall be taken from twelve o'clock and thirty minutes P. M. to two o'clock P. M., and from five o'clock P. M. to seven o'clock P. M., unless otherwise ordered by vote of the House."

Referred to Committee on Rules and Regulations.

JOINT RESOLUTION—(OUT OF ORDER).

By Mr. Davis (by request of Mr. Walrath): Authorizing and directing the publication and disposal of the reports and maps prepared by the State Engineer, as follows:

Resolved by the Assembly, the Senate concurring, That an edition, not to exceed three thousand copies, of the final report of the State Engineer, on the problems of irrigation, as outlined in the report of progress made to this Legislature for the years 1883-4, together with the maps and diagrams accompanying the same, be printed and published under the joint direction of the Governor the Superintendent of State Printing, and the State Engineer, and in good, substantial, useful, and salable style, as by them to be determined

Resolved, That these works shall be disposed of as follows Five hundred copies to be distributed gratuitously, under the direction of the Governor, to free libraries, State institutions, and in exchange with foreign societies and institutions, and notable persons, two thousand five hundred copies to be delivered to the Secretary of State, to be by him kept on sale, at prices to be fixed by the Governor, at amounts about twenty-five per cent advance on cost of publication.

Resolved, That all moneys received from said sales shall be duly and separately accounted for, and immediately be paid into the State Treasury, to the credit of the General Fund.

Resolved, That a short abstract of the full report may be prepared, printed and distributed gratuitously throughout the country, for the purpose of placing the main points of the work before the public, and as an advertisement of the work itself on sale.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Pyle:

WHEREAS, It has been necessary for the mail carrier to be on duty from seven A. M. to ten P. M., each day, therefore, be it

Resolved, That the mail carrier be and he is hereby allowed an extra per diem of two dollars from the beginning of the session, and to continue until the close of the session, and the Controller is hereby directed and authorized to draw his warrant in accordance herewith upon the proper fund.

Referred to Committee on Attachés and Employés.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Britt:

Resolved by the Assembly, the Senate concurring, That the Secretary of State be and he is hereby requested to furnish to the Law Department of the State University (i. e., The Hastings College of the Law), one copy of each of the Journals of the Senate and Assembly, with the Appendices thereto, Statutes, and Supreme Court Reports, as the same are published, and the State Librarian and the Secretary of State are further requested to furnish said department such back numbers of said publications as they may be able to spare.

So ordered.

FURTHER TIME GRANTED COMMITTEE.

The Committee on County and County Boundaries was granted further time to report on Assembly Bill No. 109.

PETITIONS.

By Mr. McJunkin: Petition from the criminal Judges of San Francisco, relative to sentencing criminals to the House of Correction

Referred to Committee on Judiciary.

By Mr. McLean: Petition from the citizens of Santa Barbara County, relating to a new county.

Referred to Committee on County and County Boundaries.

By Mr. McLean: Petition from the citizens of Los Angeles, relative to scientific temperance instruction in public schools.

Referred to Committee on Education.

By Mr. Ellison: Petition from the citizens of Tehama County, relative to the sale of intoxicating liquors to Indians, minors, and habitual drunkards.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885

MR SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 454—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883

Also, Assembly Bill No 489—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties.

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

Also, Assembly Bill No. 385—An Act to provide for compensating County Recorders for making abstracts of mortgages, trust deeds, contracts, and other obligations by which any debt is secured, for the use of the County Assessors

Also, Assembly Bill No. 392—An Act defining the powers of Boards of Supervisors of the various counties, cities and counties, of the State, in relation to licensing various kinds of business

Also, Assembly Bill No. 453—An Act to amend section one hundred and nineteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Also, Assembly Bill No. 495—An Act to amend section one hundred and forty-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, in relation to Coroner.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

EDWARDS, Chairman.

ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1885.

MR. SPEAKER. Your Committee on Mileage, to whom was referred the report of the Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry—have had the same under consideration, and recommend that the following named members be entitled to mileage for one hundred and sixty-eight miles Messrs. Long, Reeves, Goucher, Morris, Barnes, and Clerk Brown.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of one hundred dollars and eighty cents, in favor of W G. Long, to pay above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred substitute for Senate Bill No. 31—An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

Also, Assembly Bill No. 159—An Act to amend sections one thousand five hundred and forty-three, one thousand five hundred and seventy-eight, one thousand five hundred and eighty, one thousand five hundred and eighty-one, one thousand five hundred and ninety-four, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand seven hundred, one thousand seven hundred and seventy-five, one thousand eight hundred and fifty-seven, and one thousand eight hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," relating to public schools, and by repealing sections one thousand five hundred and eighty-two and one thousand six hundred and fifteen of said Code, all relating to public schools—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend the passage of the substitute

JORDAN, Chairman.

MOTION.

The time for the consideration of special orders, Assembly Bills Nos. 72 and 326, for ten o'clock and thirty minutes A. M., having arrived, Mr. Jordan moved that their consideration be postponed for one half hour.

So ordered.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No 1—Relative to proposed amendment to article six of the Constitution, relative to a Judicial Commission, to be known as Constitutional Amendment No. 3.

Also, Assembly Constitutional Amendment No 4—Relative to proposed amendments to article six of the Constitution of the State of California.

Also, Assembly Constitutional Amendment No. 5—An Act to amend the Constitution by providing for a Commission, to be appointed from time to time, with power to hear and determine appeals to the Supreme Court.

Have had the same under consideration, and respectfully report the same back, without recommendation.

Also, Assembly Constitutional Amendment No 15—An Act to amend sections one, eight, ten, and eleven, of article thirteen, of the Constitution—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

HEATH, Chairman.

Mr. Heath moved that the amendments to Constitutional Amendment No. 15 be printed.

So ordered.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1885.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 281—Entitled "An Act to declare a part of the branch of the San Joaquin River, known as the Middle River, not navigable"

Also, Assembly Bill No 422—An Act to regulate the manufacture of canned goods, and compel the stamping thereon of the date of canning.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

LOVELL, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR. SPEAKER Your Committee on Public Buildings and Grounds, to whom was referred substitute for Senate Bill No. 114—An Act to provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DAVIS, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1885.

MR. SPEAKER Your Committee on Claims, to whom was referred Assembly Bill No 294—An Act to authorize the Board of State Harbor Commissioners to pay the claim of Richard O'Connor

Also, Assembly Bill No. 387—An Act to provide for the payment of the claim of H. L Nichols

Also, Assembly Bill No. 417—An Act providing for the payment of a balance of a judgment due in favor of Trustum C Gilman, against the County of Contra Costa

Also, Assembly Bill No. 436—An Act to appropriate money for the relief of J C Doherty.

Also, Assembly Bill No 501—An Act to pay for professional services rendered on behalf of the people in the case of the People vs. Parks, wherein the Supreme Court declared the "Act to promote drainage" unconstitutional

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also, Assembly Bill No. 304—An Act for the relief of James Kannavan, George Carlisle, and George W Citerson—have had the same under consideration, and respectfully report back a substitute for the same, and recommend the passage of the substitute

Also, Assembly Bill No 305—An Act for the relief of William Pyburn, or assignees, for services rendered as a private in defending the eastern frontier against the attacks of Indians—have had the same under consideration, amended the same, and respectfully report the same back, and recommend that it do pass, as amended.

SWAYNE, Chairman.

ON COUNTY AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR. SPEAKER: Your Committee on County and County Boundaries, to whom was referred Assembly Bill No. 488—An Act to change and permanently locate the boundary lines between

the Counties of San Luis Obispo and Kern—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

J. M. WARD, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR. SPEAKER. Your Committee on Roads and Highways, to whom was referred Assembly Bill No 289—An Act to amend an Act entitled "An Act to repeal chapter two, of title six, of part three, of an Act of the Legislature of the State of California, entitled 'An Act to establish a Political Code,' approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two, in said Code, relating to roads and highways," approved February 28, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 319—have had the same under consideration, and recommend that it do not pass.

Also, Assembly Bill No. 318—and recommend that it do not pass.

Also, Assembly Bill No. 320—and recommend it do not pass.

Also, Assembly Bill No. 464—that it do not pass.

Also, Assembly Bill No 484—and recommend it do pass.

LAUGHLIN, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR. SPEAKER Your Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 15—Relative to making the Department of Agriculture a Cabinet office—have considered the same, and report it back to the House, and recommend that it do pass.

Also, Senate Concurrent Resolution No 18—Relative to the direct war tax levied upon the several States, under Act of Congress of 1861—have examined the same, and report the same back to the House, and recommend that it do pass.

RUSS, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 472—An Act to provide for the appointment, by the Supreme Court, of five Commissioners, to be known as Commissioners of the Supreme Court, to relieve said Court from the overburdened condition of its calendar, and to provide for the compensation of said Commissioners—recommend that it do pass, as amended

Also, Assembly Bill No 513—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estates of deceased persons—recommend that it do pass, as amended.

Also, Assembly Bill No. 483—An Act to amend an Act entitled "An Act to establish a Penal Code," by amending section one thousand and forty-six thereof, relating to forming juries in criminal causes—recommend that it do pass

Also, Assembly Bill No 451—An Act to fix the number of Justices of the Peace and Constables in the several counties of this State, and to regulate and fix their compensation—recommend that it do not pass

ELLISON, Chairman.

REPORT OF JOINT COMMITTEE ON COUNTY AND TOWNSHIP GOVERNMENTS AND ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1885.

MR. SPEAKER: Your Joint Committee on County and Township Governments, and Roads and Highways, to whom was referred Assembly Bill No. 195—An Act to amend section two thousand six hundred and forty-three of chapter ten of an Act of the Legislature, approved February 28, 1883, relating to roads and highways

Also, Assembly Bill No 104—An Act to amend section two thousand six hundred and fifty-two of the Political Code of California, approved March 12, 1872.

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

Also, Assembly Bill No. 87—An Act to amend section two thousand six hundred and forty-three of the Political Code, relating to roads and highways.

Also, Assembly Bill No 190—An Act to amend section two thousand six hundred and forty-two and repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the election of Road Overseers.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also, Assembly Bill No. 160—An Act to amend section two thousand six hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved February 28, 1883, relating to roads and highways.

Also, Assembly Bill No. 40—An Act to amend an Act entitled "An Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled an Act to establish a Political Code," approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two, in said Code, relating to roads and highways, approved February 28, 1883, by adding a new section, to be numbered section two thousand six hundred and forty-six.

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

EDWARDS, Chairman of Joint Committee.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, February 13, 1885.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 83—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to revenue.

Also, Assembly Bill No. 427—An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature.

GEORGE STONEMAN, Governor

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. McJunkin: Assembly Bill No. 523—An Act to authorize the commitment of prisoners to the House of Correction.

Referred to Committee on Crimes and Penalties.

By Mr. McLean: Assembly Bill No. 524—An Act to appropriate the sum of one hundred and thirty millions of dollars for the benefit and relief of hydraulic miners who have been deprived of their rights and properties by the various Courts of the United States and the State of California.

Referred to Committee on Claims.

By Mr. Weaver: Assembly Bill No. 525—An Act relating to an Act entitled "An Act concerning trespassing of animals upon private lands in certain counties in the State of California," approved March 7, 1878, so far as the same relates to Humboldt County.

Referred to Committee on Judiciary.

By Mr Jordan: Assembly Bill No. 526—An Act to amend section three thousand seven hundred and two of an Act entitled "An Act to establish a Political Code," relating to revenue.

Referred to Committee on Education.

By Mr. Roseberry: Assembly Bill No. 527—An Act to appropriate the sum of six hundred and fifty dollars for payment of the claim of C. C. Rachford, Sheriff of Modoc County.

Referred to Committee on Claims.

MOTION.

On motion of Mr. May, Assembly Bill No. 290 was taken up for the consideration of the pending amendments.

Mr. May moved to amend section two, after the word "provided," the word "that," and after the word "married," the words "and the property be community property then," so as to read "provided that, if such person be married and the property be community, then both husband and wife must join in such grant."

So ordered.

The following amendment of Mr. Hazard to section seven, pending, was read and adopted: strike out the words, "with full power of control over such minors, free from parental interference."

The new section seven, offered by Mr. May, pending, was adopted, as amended above, as follows:

SEC 7. The person making such grant may therein provide that the Trustees named in the grant, and their successors, may, in the name of the institution or institutions, become the custodian of the person of minors, and when any such provision is made in a grant, the Trustees and their successors may take such custody and control, in the manner and for the time, and in accordance with the provisions of sections two hundred and sixty-four to two hundred and seventy-six, inclusive, of the Civil Code of the State of California.

The following amendment of Mr. Munday, pending, was read and adopted as follows: amend, by adding to section ten, the words:

Provided, that no wish direction, act, or condition expressed, made, or given by any grantor or grantors, under or by virtue of this Act, as to religious instruction to be given in such school, college, seminary, mechanical institute, museum, or gallery of art, or in respect to the exercise of religious belief on the part of any pupil or pupils of such school or institution of learning, shall be binding upon the State, nor shall the State enforce, or permit to be enforced, or carried out, any such wish, direction, act, or condition.

The following amendment of Mr. Coleman was withdrawn by consent of the House, to wit:

Section 12. The teaching of any religion, or the inculcation of any particular system of metaphysics, is absolutely prohibited in any school, college, or university, founded under the provisions of this Act, whenever such school, college, or university shall be devised, bequeathed, or granted to the State

The following amendment of Mr. Hazard was withdrawn by consent of the House. amend by inserting at the end of section ten:

Provided, however, that nothing herein shall affect the rights of creditors.

Bill ordered engrossed, and to be read third time.

SPECIAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Read first time, and ordered to second reading.

SPECIAL ORDER.

The special order for ten o'clock and thirty minutes A. M. next being in order, Assembly Bill No. 72—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 4, 1883, relating to salaries of county officers—was taken up.

The committee offered a substitute, which divided the original bill into sections.

Mr. Barnes moved to amend the substitute as follows: insert, on page eight, after the word "annum," on line five, section one hundred and seventy-two of said Act, the following:

Provided, that said Sheriff be empowered to appoint a Jailer, to take charge of the branch county jail, to receive a salary of six hundred dollars per annum.

So ordered.

Mr. Van Voorhies moved to amend substitute as follows: in section two hundred and eight, line eight, amend so as to read, "the District Attorney shall receive nine hundred dollars per annum," instead of "fifteen hundred dollars per annum."

So ordered.

Mr. Colby moved to amend substitute as follows: insert, in section one hundred and seventy-four, line twenty-four, in counties of the twelfth class, after the word "annum," the words "and ten cents per mile from their respective homes to the county seat, as often as said Supervisors shall meet."

So ordered.

Mr. Colby moved to amend his amendment by inserting "twenty cents," instead of "ten cents."

So ordered.

Mr. Ellison moved to amend substitute, by striking out of section one hundred and eighty-eight, line one, the words "thirty-five," and insert "eighteen;" strike out of line two, the word "seven," and insert "six;" strike out of line three, "four thousand," and insert "eighteen hundred;" strike out of line four, "eighteen," and insert "twelve;" strike out of line five, "twenty-five," and insert "fifteen;" strike out of line seven, the word "six," and insert "three;" strike out of line eight, "twenty-five hundred," and insert "two thousand;" strike out of line eleven, "twenty," and insert "fifteen."

Pending.

Mr. Edwards moved to make Assembly Bills Nos. 72 and 326 special orders for Monday, February 16, 1885, at one o'clock P. M.

So ordered.

SPECIAL FILE—SECOND READING OF BILLS—(RESUMED).

On motion of Mr. May, the rules were suspended, and the following bills were considered without going into Committee of the Whole:

Assembly Bill No. 77—An Act making an appropriation for a deficiency in the appropriation for traveling expenses of the State Board of Equalization for the thirty-fifth fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 124—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses of the Supreme Court for the thirty-fifth fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 125—An Act making an appropriation for the deficiency in the appropriation for continuing special investigation in the Agricultural Department of the State University for the thirty-fifth fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 235—An Act making an appropriation for the deficiency in the appropriation for stationery, fuel, lights, etc., State Capitol building, for the thirty-third fiscal year.

Read second time, ordered engrossed, and to be read third time.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 123—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, which may be

incurred under section forty-seven of the Code of Civil Procedure, during the thirty-fifth and thirty-sixth fiscal years.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Culver, Davis, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Henry, Hollister, Jones, Lafferty, Long, Loud, May, McGlashan, McJunkin, McLean, McMurray, Patterson, Porter, Pyle, Reeves, Russ, Swayne, Torrey, Van Voorhies, Watson of El Dorado, Ward of San Francisco, Weaver, Wood, Yule, and Mr Speaker—45.

NOES—Mr. Mears—1.

Title approved.

Assembly Bill No. 161—An Act to provide for the deficiency in the appropriation for the salary of Clerk of the Supreme Court during the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Culver, Davis, DeWitt, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Henry, Hollister, Jones, Jordan, Lafferty, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pyle, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Watson of El Dorado, Ward of San Francisco, Weaver, Wood, Yule, and Mr Speaker—50.

NOES—None.

Title approved.

Assembly Bill No. 199—An Act making an appropriation for the deficiency in the appropriation for expenses of the Supreme Court under section forty-seven of the Code of Civil Procedure for the thirty-second fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Culver, Davis, Dooling, Douglas, Firebaugh, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Jones, Jordan, Lafferty, Laughlin, Long, Loud, May, McGlashan, McJunkin, McLean, Mears, Morris, Patterson, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of El Dorado, Ward of San Francisco, Wood, Yule, and Mr. Speaker—48.

NOES—None

Title approved.

Assembly Bill No. 201—An Act making an appropriation for the deficiency in the appropriation for the payment of rewards offered by the Governor for the thirty-first fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Culver, Davis, Douglas, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Jones, Jordan, Lafferty, Laughlin, Long, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of El Dorado, Ward of San Francisco, Weaver, Wood, Yule, and Mr. Speaker—52

NOES—None.

Title approved.

Assembly Bill No. 202—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirtieth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Culver, Daley, Davis, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Jones, Jordan, Lafferty, Laughlin, Long, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Watson of El Dorado, Weaver, Wood, Yule, and Mr. Speaker—53.

NOES—None

Title approved.

Assembly Bill No. 67—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ashe, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Daley, Dooling, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Hazard, Heath, Henry, Jones, Jordan, Kalben, Laughlin, Long, May, McGlashan, McJunkin, McLean, McMurray, Mears, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Watson of El Dorado, Weaver, Yule, and Mr. Speaker—46.

NOES—Messrs. Gregory and Torrey—2.

Title approved.

Assembly Bill No. 255—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Ashe, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Davis, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, May, McGlashan, McJunkin, McLean, McMurray, Mears, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of El Dorado, Ward of San Francisco, Weaver, Yule, and Mr. Speaker—55.

NOES—None.

Title approved.

RECONSIDERATION.

Mr. May moved to reconsider the vote whereby Assembly Bill No. 88—An Act to diminish the cost of judicial proceedings and to regulate the fees of Sheriffs and certain other officers—was passed.

Mr. May moved to make the bill a special order for Monday, February 16, at two o'clock P. M.

CALL OF THE HOUSE.

Mr. Britt moved a call of the House.

So ordered.

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

Messrs Allen, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Daley, Davis, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Jones, Jordan, Kalben, Laughlin, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean,

McMurray, Mears, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Yule, and Mr. Speaker.

Quorum present.

Mr. Weaver moved that further proceedings under the call of the House be dispensed with.

Lost on a division—ayes, 20; noes, 30.

On motion of Mr. Weaver, the Sergeant-at-Arms was directed to arrest the absentees and bring them before the bar of the House.

Mr. Weaver moved that further proceedings under the call of the House be dispensed with.

So ordered.

Mr. Davis moved the previous question.

So ordered.

The question then being on the motion of Mr. May to reconsider.

The roll call was demanded by Messrs. May, Mears, and Pellet.

The motion was carried by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Buhlert, Carter of Contra Costa, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Finebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Jones, Kalben, Lafferty, Laughlin, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, and Mr Speaker —56.

NOES—Messrs. Barnett, Britt, Carter of Solano, Clark, Edwards, Jordan, and Patterson—7.

Mr. May moved to refer Assembly Bill No. 88 to a special committee of one, with instructions to amend by striking out section nineteen of the engrossed bill.

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. May a committee of one, to amend Assembly Bill No. 88.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1885.

MR. SPEAKER: Your special committee, to whom was referred Assembly Bill No. 88, with instructions to strike out section nineteen of engrossed bill, would respectfully report that the instructions of the House have been carried out.

MAY.

MOTIONS.

At twelve o'clock and thirty minutes, Mr. McJunkin moved that when this House adjourns, it adjourns until one o'clock P. M. Monday, February 16, 1885.

So ordered.

Mr. Davis moved that the hour of recess be extended half an hour.

So ordered.

Mr. Britt moved that Assembly Bill No. 88 be made a special order for one o'clock and thirty minutes P. M. Monday, February 16, 1885.

So ordered.

Mr. Pyle moved that the House take up Senate Concurrent Resolution No. 16—Relative to printing astronomical reports of the Lick Observatory.

So ordered.
Read and adopted.

ADJOURNMENT.

At twelve o'clock and forty minutes P. M., on motion of Mr. May, the House adjourned until one o'clock, Monday, February 16, 1885.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 16, 1885.

The House met pursuant to adjournment.
Speaker Parks in the chair.
The roll was called, and the following members answered to their names:

Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Patterson, Porter, Pyle, Reeves, Roseberry, Russ, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker

Quorum present.
Prayer by the Chaplain.
Pending the reading of the Journal, Mr. Cook moved that the further reading be dispensed with.
So ordered.
Journal approved.

LEAVE OF ABSENCE.

Messrs. Swayne, Almy, and Henley were granted leave of absence for one day.
Mr. Beard was granted indefinite leave of absence, on account of sickness.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1885

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit, or otherwise.

Also, Assembly Bill No. 77—An Act making appropriation for a deficiency in the appropriation for traveling expenses of the State Board of Equalization for the thirty-fifth fiscal year.

Also, Assembly Bill No. 124—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses of the Supreme Court for the thirty-fifth fiscal year.

Also, Assembly Bill No. 125—An Act making an appropriation for the deficiency in the appropriation for continuing special investigation in the Agricultural Department of the State University for the thirty-fifth fiscal year.

Also, Assembly Bill No. 235—An Act making an appropriation for the deficiency in the appropriation for stationery, fuel, lights, etc., State Capitol building, for the thirty-third fiscal year.

Also, Assembly Bill No. 290—An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art.

DEVENY, Chairman.

MOTION.

Mr. Heath moved that Assembly Constitutional Amendment No. 15 be placed at the head of the special file.

So ordered.

SPECIAL ORDERS.

The time for the consideration of special orders for one o'clock P. M. this day having arrived, Assembly Bills No. 72—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relating to salaries of county officers—and No. 326—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883—were taken up.

Mr. Ellison moved to make the consideration of the bills special order for Tuesday, February 17, 1885, at eleven o'clock A. M.

Lost.

Mr. Porter moved to amend the substitute to Assembly Bills Nos. 72 and 326, as follows: strike out, in section one hundred and eighty-nine, page eighteen, line four, the word "three," and insert in lieu thereof the word "four;" also, strike out, in line five, same page, the words "four thousand five hundred," and insert in lieu thereof the words "five thousand five hundred:" also, strike out, in line seven, same page, the words "fifteen hundred," and insert in lieu thereof the words "eighteen hundred;" also, strike out, in line eight, same page, the words "fifteen hundred," and insert in lieu thereof the words "eighteen hundred;" also, strike out, in line ten, same page, the words "thirty-five hundred," and insert in lieu thereof the words "four thousand."

So ordered.

Mr. Britt moved to amend the substitute, as follows: strike out, in section one hundred and ninety-nine, page twenty-four, line ten, the words "one thousand two hundred," and insert in lieu thereof the words "fifteen hundred."

So ordered.

Mr. Ashe moved to amend the substitute as follows: strike out, in section two hundred and three, line four, the words "one thousand five hundred," and insert in lieu thereof the words "two thousand;" also, strike out, in line five, same section, the words "three thousand five hundred," and insert in lieu thereof the words "forty-five hundred;" also, strike out, in line six, same section, the words "one thousand," and insert in lieu thereof the words "two thousand;" also, strike out, in line seven, same section, the words "five hundred," and insert in lieu thereof the words "one thousand;" also, strike out, in line eleven, same section, the words "one thousand," and insert in lieu thereof the words "fifteen hundred."

So ordered.

Mr. McGlashan moved to amend the substitute as follows: strike out, in section one hundred and seventy, line ten, the words "six

thousand," and insert in lieu thereof the words "six thousand five hundred."

So ordered.

Mr. Edwards moved to amend the substitute as follows: strike out, in section one hundred and sixty-seven, line seven, the words "three thousand," and insert in lieu thereof the words "three thousand five hundred;" also, strike out, in line nine, same section, the words "three thousand," and insert in lieu thereof the words "three thousand five hundred."

So ordered.

MOTION.

The hour for the consideration of the special order for one o'clock and thirty minutes P. M. having arrived, Mr. Britt moved that the consideration of Assembly Bill No. 88 follow immediately after the completion of the consideration of the special orders for one o'clock P. M.—Assembly Bills Nos. 72 and 326.

So ordered.

Mr. Black moved to amend the substitute as follows: strike out, in section one hundred and sixty-four, line fifteen, the words "three thousand," and insert in lieu thereof the words "twenty-four hundred."

So ordered.

Mr. Culver moved to amend the substitute as follows: strike out, in section one hundred and eighty, line twenty, the words "three hundred," and insert in lieu thereof the words "four hundred."

So ordered.

Mr. Barnett moved to amend the substitute as follows: strike out, in section one hundred and seventy-six, line eleven, the word "four," and insert in lieu thereof the word "one."

So ordered.

Mr. McLean moved to amend the substitute as follows: strike out, in section one hundred and eighty-six, line four, the word "eighteen," and insert in lieu thereof the word "twenty-five;" also, strike out, in line six, same section, the word "eighteen," and insert in lieu thereof the word "twenty;" also, strike out, in line eight, same section, the word "twelve," and insert in lieu thereof the word "fifteen."

So ordered.

Mr. Davis moved to amend the substitute as follows: strike out, in section one hundred and sixty-six, line five, the words "nine thousand five hundred," and insert in lieu thereof the words "nine thousand."

So ordered.

Mr. Goucher moved to amend the substitute as follows: strike out, in section two hundred and one, line one, the words "twenty-one hundred," and insert in lieu thereof the words "twenty-four hundred;" also, strike out, in line three, same section, the words "thirteen hundred," and insert in lieu thereof the words "fifteen hundred."

So ordered.

Mr. Munday moved to amend the substitute as follows: strike out, in section one hundred and sixty-eight, line five, the words "six thousand six hundred," and insert in lieu thereof the words "seven thousand two hundred;" also, strike out, in line thirty-seven, same section, the word "five," and insert in lieu thereof the word "eight;"

also, strike out, in line sixteen, same section, the words "forty-five," and insert in lieu thereof the word "fifty."

So ordered.

Mr. Ellison withdrew his amendment, pending from Saturday, by consent of the House.

Roll call, on engrossment and third reading, demanded by Messrs. Munday, Moffitt, and Ellison.

The roll was called, and the bill was ordered to be engrossed, and to be read the third time, by the following vote:

AYES—Messrs. Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Culver, Daley, Davis, DeWitt, Edwards, Firebaugh, Goucher, Gregory, Heath, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Lafferty, Laughlin, Lovell, May, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Woodward, Yule, and Mr Speaker—50.

NOES—Messrs. Allen, Deveny, Ellison, Franklin, French, Hazard, McGlashan, Moffitt, and Munday—9.

Title approved.

SPECIAL ORDER.

Assembly Bill No 88—An Act to diminish the cost of judicial proceedings, and to regulate the fees of Sheriffs and certain other officers—the next special order—was taken up.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Culver, Daley, Davis, DeWitt, Edwards, Goucher, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Lafferty, Laughlin, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Morris, Patterson, Pellet, Reeves, Russ, Torrey, Watson of Alameda, Ward of Butte, Ward of San Francisco, Woodward, Yule, and Mr. Speaker—48.

NOES—Messrs. Deveny, Douglas, Ellison, Franklin, French, Long, Loud, Mears, Moffitt, Munday, Porter, Walrath, Watson of El Dorado, and Weaver—14.

Title approved.

MOTION.

Mr. Yule moved to make Assembly Concurrent Resolution No. 8 a special order for Friday, February 20, 1885, at two o'clock P. M.

The roll call was demanded by Messrs. Munday, Barnett, and Moffitt.

The motion was carried by the following vote:

AYES—Messrs. Banbury, Barnes, Britt, Buhlert, Colby, Cook, Culver, Deveny, Douglas, Edwards, Firebaugh, Franklin, French, Heywood, Hollister, Jones, Jordan, Lafferty, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Pellet, Reeves, Roseberry, Russ, Torrey, Watson of Alameda, Ward of Butte, Ward of San Francisco, Woodward, Yule, and Mr Speaker—38

NOES—Messrs Allen, Ashe, Barnett, Black, Carter of Contra Costa, Carter of Solano, Clark, Davis, DeWitt, Ellison, Goucher, Hazard, Heath, Henry, Hunt, Laughlin, Moffitt, Morris, Munday, Patterson, Watson of El Dorado, and Weaver—22.

REFERENCE OF BILLS.

Mr. McJunkin moved that Assembly Bill No. 501 be taken from the file and referred to Committee on Judiciary.

So ordered.

Mr. Firebaugh moved that Assembly Bill No. 477 be taken from the file and re-referred to Committee on Labor and Capital.

So ordered.

FIRST READING OF BILLS.

By request of the Speaker, Assembly Bill No. 258—An Act to amend section four thousand four hundred and eight of the Political Code, relating to the powers of the Common Councils of cities—was taken up for consideration.

Bill read first time, and ordered to second reading.

MOTION.

Mr. Hazard moved that Assembly Bill No. 472 be taken up for consideration.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 472—An Act to provide for the appointment, by the Supreme Court, of five Commissioners, to be known as Commissioners of the Supreme Court, to relieve said Court from the overburdened condition of its calendar, and to provide for the compensation of said Commissioners.

Read first time, and ordered to second reading.

SPECIAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. May, the House went into Committee of the Whole for the purpose of considering Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Speaker Parks in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years—and now report progress, and recommend that the amendments to the bill be printed.

Report received, and amendments ordered printed.

SPECIAL FILE—FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 31—An Act to provide for compiling, illustrating, binding, copyrighting, and distributing a State series of school textbooks, and appropriating money therefor.

Read first time, and ordered to second reading.

SPECIAL ORDERS.

The time for the consideration of special orders for three o'clock P. M. this day having arrived, Assembly Bill No. 410—An Act to amend title eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections, numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irrigation purposes and declaring such purposes a public use, and to come within title seven, of part three, of the Code of Civil Procedure of this State—was taken up.

Mr. McJunkin moved that the bill be made a special order for Thursday, February 19, 1885, at two o'clock P. M.

Mr. Jordan moved to amend, by making it a special order for Tuesday evening, February 17, 1885, at eight o'clock.

Mr. Munday moved to amend the amendment of Mr. Jordan, by making the bill a special order for seven o'clock P. M. this evening.

Lost.

The question then being upon Mr. Jordan's motion, it was lost.

The question then recurring on the motion by Mr. McJunkin, it was lost.

Mr. Jordan moved to make the bill a special order for Tuesday, February 17, 1885, at seven o'clock and thirty minutes P. M.

Lost, on a division—ayes, 29; noes, 30.

Bill read second time.

Mr. McJunkin moved to amend by striking out section one.

Pending.

MOTION TO ADJOURN.

At three o'clock and fifteen minutes, Mr. Munday moved that the House adjourn.

The roll call was demanded by Messrs. Munday, Barnes, and Goucher.

The motion was lost by the following vote:

AYES—Messrs. Buhlert, Davis, Devenv, Douglas, Franklin, French, Gregory, Hollister, Hunt, Jones, Lafferty, McDonald, McJunkin, Mears, Munday, and Porter—16.

NOES—Messrs Allen, Ashe, Banbury Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook Culver, Daley, DeWitt, Edwards, Ellison, Freebaugh, Goucher, Hazard, Heath, Henry, Heywood, Johnson, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McLean, Moffitt, Morris, Patterson, Pellet, Pyle, Reeves, Russ, Torrey, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Woodward, Yule, and Mr. Speaker—49.

Mr. Jordan moved to make the bill a special order for Tuesday, February 17, 1885, at seven o'clock and fifteen minutes P. M.

Mr. Weaver moved that the special order for three o'clock and thirty minutes P. M. this day, be postponed for fifteen minutes.

So ordered.

Mr. Munday moved the previous question.

So ordered.

The question then being upon the motion of Mr. Jordan, it was so ordered.

LEAVE OF ABSENCE.

Messrs. Coleman, Sullivan, Kalben, Wood, and Van Voorhies were granted leave of absence for one day.

REPORTS OF STANDING COMMITTEES.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1885.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 13—An Act to amend the Constitution—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Constitutional Amendment No. 14—An Act to propose an amendment to sections twenty-two, twenty-three, and twenty-four, of article twelve, of the Constitution, in relation to the Railroad Commission—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

Also, Assembly Constitutional Amendment No. 11—An Act to amend article thirteen of the Constitution—and recommend that the author be allowed to withdraw the same

HEATH, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1885.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 254—An Act to amend section five hundred and seventy-three of the Civil Code of the State of California, relating to savings and loan corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also, Assembly Bill No. 198—An Act to prevent common carriers from making discriminations and unjust and extortionate charges on the carriage of goods, in violation of law—and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 407—An Act to enable municipalities to acquire and maintain public waterworks—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 334—An Act for the preservation and protection of human life, and to guard against accident by and on street railway vehicles or cars running on and through the streets—have amended the same, and recommend the passage of the same, as amended.

JONES, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1885.

MR SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 449—An Act to amend section one thousand and eighty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1882, relating to the qualification of voters—have had the same under consideration, and respectfully report the bill back, as amended, without recommendation

R. C. CARTER, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 16, 1885.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 118—"An Act for the relief of Robert McKillican."

EDWIN F. SMITH, Secretary
By F. J. SANF, Assistant Secretary.

Senate Bill No. 118 was ordered substituted on the file for Assembly Bill No. 321.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Firebaugh: Assembly Bill No. 528—An Act to appropriate the sum of nine hundred and ninety-two thousand dollars to pay the indebtedness incurred and bonds issued under and pursuant to

an Act entitled "An Act to authorize the widening of Dupont Street, in the City of San Francisco," approved March 23, 1876.

Referred to Committee on Labor and Capital.

By Mr. Yule: Assembly Bill No. 529—An Act to appropriate money to pay the claim of W. F. Boardman, Grant I. Taggart, and Charles T. H. Palmer, assignee of Sherman Day, for services as Commissioners in the action of The People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeiffer et al., in the Third District Court for Alameda County.

Referred to Committee on Claims.

By Mr. Hazard: Assembly Bill No. 530—An Act to amend an Act entitled "An Act in relation to the care of orphaned and abandoned children," approved March 7, 1883.

Referred to Committee on Judiciary.

By Mr. Jordan: Assembly Bill No. 531—An Act to amend the Penal Code, for the purpose of prohibiting slogging matches and other similar exhibitions.

Referred to Committee on Public Morals.

Also, Assembly Bill No. 532—An Act to amend section three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sales.

Referred to Committee on Public Lands

Also, Assembly Bill No. 533—An Act to amend section three thousand seven hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sales.

Referred to Committee on Public Lands.

By Mr. Roseberry: Assembly Bill No. 534—An Act relating to taxes paid to the Attorney-General of the State of California.

Referred to Committee on Judiciary.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Lafferty:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1885.

WHEREAS, We believe that it is for the general good and welfare of the State that the laboring classes should receive sufficient remuneration for their labor to bring within their reach the comforts and necessaries of life, which all classes should enjoy, and that every reduction in the wages of labor tends to further depress the condition of trade; therefore, be it

Resolved by the Assembly of the State of California, in session this day, That we do hereby tender to the non workers of San Francisco our heartfelt sympathy in their efforts to resist the downward course of wages, with its dangerous and degrading effects

Adopted.

By Mr. Jordan:

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of nineteen dollars and twenty cents in favor of F. M Lovell, as a member of the Committee on Education, for mileage to and from the State University at Berkeley.

Referred to Committee on Mileage.

CONCURRENT RESOLUTIONS—(OUT OF ORDER).

By Mr. Corcoran: Concurrent Resolution:

WHEREAS, There has been introduced in the lower House of Congress, by the Hon. James H. Budd, a bill to prohibit the importation of opium prepared for smoking, and of all opium,

except aqueous extracts thereof for medicinal purposes, and tinctures thereof as laudanum, therefore, be it

Resolved by the Assembly, the Senate concurring, That our Representatives in Congress be and they are hereby requested to do their utmost to secure the passage of said bill.

Resolved, That the Governor be requested to forward a copy of these resolutions to our Representatives in Congress

Referred to the Committee on Federal Relations.

By Mr Walrath: Concurrent Resolution—Requesting our Senators and Representatives in the Congress of the United States to urge the amendment of the United States Statutes, relative to the sale of public lands west of the Rocky Mountains:

Resolved by the Senate of the State of California, the Assembly concurring, That our Senators and Representatives in Congress be requested to urge the amendment of the United States Statutes, relative to the sale of public lands, so as to provide that hereafter all such lands lying west of the Rocky Mountains shall be sold subject to the right of appropriation of the surplus water in streams running through the same, for irrigation, mining, and other useful purposes

Referred to the Committee on Federal Relations.

By Mr. Goucher: Concurrent Resolution—Relating to Sumner's Postal Telegraph Bill, and indorsing the same:

WHEREAS, The interests of the people of the State of California of all occupations, callings, and professions, and of all shades of political belief, demand that the Federal Government undertake the business of transmitting by telegraph, intelligence between the inhabitants of the land, as proposed by the measure heretofore presented in Congress, known as the "Sumner Postal Telegraph Bill;" therefore, be it

Resolved by the Assembly of California in twenty-sixth session, the Senate concurring, That we heartly indorse the Postal Telegraph Bill introduced in Congress by Hon. Charles A. Sumner of California, believing it to be an eminently wise and practical measure, and one imperatively demanded by the interets of the people of the United States

Resolved, That our Senators and Representatives in Congress be and are hereby earnestly requested to support, and by all honorable means endeavor to secure the enactment of such a law as said bill proposed.

Resolved, That the Governor of California be requested to forward a copy of the foregoing resolutions to each of our Senators and Representatives in Congress.

Referred to Committee on Federal Relations.

MOTIONS.

Mr. Weaver moved to make the consideration of Assembly Bill No. 171 a special order for Tuesday, February 17, 1885, at seven o'clock and thirty minutes P. M.

So ordered.

Mr Weaver moved to make the consideration of Assembly Constitutional Amendment No. 3 a special order for Tuesday. February 17, 1885, at eight o'clock P. M.

So ordered.

Mr. Henry moved to make the consideration of Assembly Bill No. 163 a special order for Thursday, February 19, 1885, at three o'clock P. M.

So ordered.

Mr. Weaver moved to make the consideration of Assembly Bill No. 170 a special order for Tuesday, February 17, 1885, at eight o'clock and thirty minutes P. M.

So ordered

WITHDRAWAL OF BILL.

Mr. Cook was allowed to withdraw Assembly Bill No. 451, by consent of the House.

GENERAL FILE—(THIRD READING OF BILLS).

Assembly Bill No. 104—An Act to amend section two thousand six hundred and fifty-two, Political Code, in relation to the disposition of road poll taxes by the Boards of Supervisors.

Read third time.

The roll was called, and the bill failed to pass by the following vote:

AYES—Messrs Barnes, Barnett, Black, Britt, Carter of Solano, Clark, Davis, DeWitt, Edwards, Ellison, Firebaugh, French, Gouchei, Gregory, Henry, Heywood, Lafferty, Laughlin, Loud, Mears, Morris, Pellet, Torrey, Woodward, Yule, and Mr. Speaker—26.

NOES—Messrs. Allen, Banbury, Colby, Cook, Culver, Douglas, Franklin, Hazard, Hollister, Johnson, Jones, Long, Lovell, May, McGlashan, McJunkin, Patterson, Porter, Pyle, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, and Weaver—24.

Assembly Bill No. 190—An Act to amend section two thousand six hundred and forty-two and repeal section two thousand six hundred and forty-four of the Political Code, in relation to the election of Road Overseers.

Passed on file.

FIRST READING OF BILLS.

Assembly Bill No. 31—An Act to amend an Act entitled "An Act declaring Islais Creek, in the City and County of San Francisco, a navigable stream," approved March 26, 1868, and to amend an Act entitled "An Act approved March 28, 1868, to amend an Act entitled 'An Act granting to certain persons therein named the right to lay a railroad track along certain streets in the City and County of San Francisco,'" approved April 2, 1866, and to require the State Harbor Commissioners to remove certain obstructions from Islais Creek, in the City and County of San Francisco, and to build a drawbridge thereon, and to authorize its payment.

Read first time, and ordered to second reading.

SECOND READING OF BILLS.

Assembly Bill No. 19—An Act to provide for the division of existing counties, and for the creation of new counties; to determine the location of county seats by an election, to declare the manner of providing officers, to provide funds for their support by the issuance of bonds, and to determine what portion of old county debts is chargeable to such new counties.

Passed on file.

Assembly Bill No. 225—An Act to amend an Act to prevent hunting, etc., on inclosed lands.

Read second time.

The Committee on Commerce and Navigation offered the following amendments: insert, in section three, between the words "inclosed" and "land," "or cultivated."

So ordered.

Also, insert, in section four, between the words "inclosed" and "land," the words "or cultivated."

So ordered.

Also, in section six, strike out the words "nor more than fifty."

So ordered.

Also, amend the title, to read as follows:

The People of the State of California, represented in Senate and Assembly, do enact as follows:

So ordered.

Mr. Hazard moved to strike out section eight: "This Act shall take effect immediately."

So ordered.

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 41—An Act to amend section eight hundred and forty-one of the Civil Code, relating to partition fences.

Refused second reading.

Assembly Bill No 156—An Act to appropriate thirty-four thousand four hundred and nineteen dollars and forty cents.

Read second time

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Watson of Alameda, the House went into Committee of the Whole for the purpose of considering Assembly Bill No. 156—An Act to appropriate thirty-four thousand four hundred and nineteen dollars and forty cents.

Speaker Parks in the chair.

The bill was considered in the Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No. 156—An Act to appropriate thirty-four thousand four hundred and nineteen dollars and forty cents—and now report the same back, and recommend its passage.

Report received.

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 24—An Act to regulate and improve the civil service of the State of California.

Refused second reading.

Assembly Bill No. 30—An Act to provide for the inspection of steam boilers, licensing steam engineers, and for the better protection and security of life and property in the State of California.

Read second time.

The Committee on Labor and Capital offered a substitute for the bill, which was read.

Mr. Black moved to amend the substitute as follows: strike out, in section four, line one, the words "every owner of a stationary or portable steam boiler in use in," and insert in lieu thereof the words "every owner of a stationary steam boiler or boilers in use in."

So ordered

Mr. Douglas moved to amend the substitute as follows: insert, in section seven, after the words "referred to by said certificate, is used," the following:

That any owner, renter, or user of a steam boiler, or boilers, holding the certificate of inspection, unrevoked and in full force, of any company organized for the exclusive purpose of mak-

ing guaranteed steam boiler inspections, which has filed a statement of its financial condition, and paid license fees and taxes, as required by the insurance laws of this State, shall be exempt from any further inspection, and from the pains and penalties recited in this Act.

So ordered.

Mr. Carter of Contra Costa moved to amend the substitute by striking out section eight.

So ordered.

Mr. Carter moved to amend the substitute as follows: strike out, in section ten, the words "or portable."

So ordered.

Mr. Corcoran moved to indefinitely postpone the consideration of the substitute.

Lost.

The question then being on ordering the substitute engrossed, and to be read third time, the roll call was demanded by Messrs. Firebaugh, French, and Corcoran.

The bill was lost by the following vote:

AYES—Messrs. Allen, Banbury, Carter of Solano, Davis, Deveny, Douglas, Firebaugh, Franklin, French, Heywood, Hollister, Hunt, Jones, Lafferty, Lovell, McGlashan, McJunkin, McLean, Porter, Russ, Torrey, Walrath, Watson of El Dorado, Ward of San Francisco, and Mr. Speaker—25.

NOES—Messrs. Ashe, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Clark, Colby, Cook, Corcoran, Culver, DeWitt, Edwards, Goucher, Gregory, Hazard, Heath, Henry, Johnson, Laughlin, Long, Loud, May, Morris, Pellet, Pyle, Reeves, Roseberry, Watson of Alameda, Ward of Butte, Weaver, and Woodward—32.

MOTIONS.

At five o'clock and fifteen minutes, Mr. Heath moved that the House take a recess until seven o'clock P. M.

Lost.

ADJOURNMENT.

At five o'clock and fifteen minutes, on motion of Mr. Franklin, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 17, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Douglas, Edwards, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Moffitt:

Resolved, That pursuant to a request of the Clerk of the Supreme Court of this State, a committee of five be appointed by the Speaker to inquire into and investigate certain alleged charges made in a certain newspaper published by one E. Leake.

So ordered.

MOTIONS.

Mr. McGlashan moved that Assembly Bills Nos. 431, 432, 433, and 434, be taken from the file and re-referred to Committee on Judiciary.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bills Nos. 3, 4, 205, 206, 207, 227, 229, 230, 231, 232, 233, 234, 236, 266, 291, 292, 346, 408, and 512—having had the same under consideration, begs leave to report the same back, with the recommendation that they do severally pass.

Also, Assembly Bills Nos. 167 and 168—amended in title—that they do pass.

Also, Assembly Bills Nos. 126, 128, 129, 130, 131, 132, 133, 135, 136, 137, 138, 139, 140, 213, 381, 345, 352, and 455—that they do not pass.

Also, Assembly Bill No. 293—at the request of the author, that he have leave to withdraw it, and substitute Senate Bill No. 124 for the same—and recommend its passage.

Also, Assembly Bill No. 218—that it pass, as amended.

Also, Assembly Bills Nos. 134, 237, 228, 238, 388, and 397—at request of their respective authors—that they have leave to withdraw the same.

MAY, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1885.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the resolution relative to changing Rule One of the Standing Rules of the Assembly—have had the same under consideration, and now report it back, and recommend that said rule be changed to read as follows:

Sessions of this House shall be daily, Sundays excepted, beginning at ten o'clock A. M. A recess shall be taken from twelve o'clock and thirty minutes P. M. to two o'clock P. M., and from five o'clock P. M. to seven o'clock and thirty minutes P. M., unless otherwise ordered by a vote of the House.

WEAVER, Chairman.

So ordered.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 69—An Act to amend sections three thousand one hundred and ninety-seven and three thousand one hundred and ninety-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to trademarks—have had the same under consideration, and report back, and recommend that it do pass.

LOVELL, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Resolution—Relative to State Harbor Commissioners and seawall contractors—have had the same under consideration, and no evidence having been adduced relative to the charges set forth in

the resolution, we therefore respectfully report the resolution back, and recommend that it be not adopted.

Also, Assembly Bills Nos. 414 and 456—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

ALLEN, Chairman.

ON ATTACHÉS AND EMPLOYES.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1885.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions—have had the same under consideration, and beg leave to make the following report

Resolution—Authorizing the payment of fourteen dollars in favor of B. Ruhl for bookbinders' work furnished the Assembly—do pass

Also, Resolution—Authorizing the payment of two days' services, as Page, in favor of Samuel McClintic—do pass.

Also, Senate Bill No. 116—An Act to amend section two hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the number and designation of officers and employés of the Senate—do pass.

Also, Resolution—Authorizing the payment of ten dollars per diem, in favor of the expert and stenographer of the State Prisons Committee—be reported back, without recommendation, for the reason that it does not state the number of days that was or is to be performed.

HUSSEY, Chairman.

Resolution authorizing the payment of fourteen dollars to B. Ruhl, so ordered.

Resolution authorizing the payment of two days' pay, as Page, to Samuel McClintic, so ordered.

Resolution authorizing the payment of per diem, in favor of the expert and stenographer of the Committee on State Prisons, withdrawn by consent of the House.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 522—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

Also, Assembly Bill No. 471—An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers."

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

LOUD, Chairman.

ON WATER RIGHTS AND DRAINAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR. SPEAKER: Your Committee on Water Rights and Drainage, to whom was referred Assembly Bill No. 502—An Act to promote drainage—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BARNES, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 220—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-nine, one thousand one hundred and ninety-four, and one thousand one hundred and ninety-five, of title four, chapter two, of the Code of Civil Procedure, for the enforcement of liens of mechanics and others upon real property, and to add four new sections thereto, to be known as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three, relating to the enforcement of liens of mechanics and others on real property—recommend that it do pass, as amended.

Also, Assembly Bill No. 520—An Act to amend section nine hundred and thirty-nine and section nine hundred and sixty-three of the Code of Civil Procedure—recommend that it do pass.

Also, Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure—recommend that it do pass, as amended

Also, Assembly Bill No. 364—An Act to amend section one hundred and seventy of the Code

of Civil Procedure, relative to the disqualification of Judges—recommend that it do pass, as amended.

Also, Assembly Bill No. 469—An Act to amend section one thousand two hundred and sixty-three of the Penal Code—recommend that it do pass.

Also, Assembly Bill No 482—An Act to amend section eight hundred and thirty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to place of trial of actions in Justice Court—recommend that it do not pass.

ELLISON, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bills Nos. 498, 493, 384, and 246.

Also, Assembly Resolution, introduced by Mr. Swayne—Referring to the amending of the Constitution, concerning State certificates.

Have had the same under consideration, and recommend that they do not pass.

Also, Assembly Bill No. 497—have had the same under consideration, and recommend that it pass, as amended.

Also, Assembly Bill No. 526—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JORDAN, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 16, 1885.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 20—An Act to require the payment of certain premiums to counties, cities and counties, and towns, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums.

EDWIN F. SMITH, Secretary,
By F J. SAXE, Assistant Secretary.

Referred to Committee on Municipal Corporations.

INTRODUCTION OF A BILL.

The following bill was introduced and referred as follows:

By Mr. Moffitt: Assembly Bill No. 535—An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Referred to Committee on Judiciary.

SPECIAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 77—An Act making appropriation for a deficiency in the appropriation for traveling expenses of the State Board of Equalization for the thirty-fifth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhleit, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Finebaugh, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Laughlin, Long, Lovell, May, McGlashan, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—67.

NOES—None.

Title approved.

Assembly Bill No. 124—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses of the Supreme Court for the thirty-fifth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, Loud, Lovell, May, McGlashan, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr Speaker—64.

NOES—None.

Title approved.

Assembly Bill No. 125—An Act making an appropriation for the deficiency in the appropriation for continuing special investigation in the Agricultural Department of the State University for the thirty-fifth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McGlashan, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—68.

NOES—Mr. Roseberry—1.

Title approved.

Assembly Bill No. 135—An Act making an appropriation for the deficiency in the appropriation for stationery, fuel, lights, etc., State Capitol building, for the thirty-third fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McGlashan, McLean, McMurray, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—65.

NOES—None.

Title approved.

FIRST READING OF BILLS.

Assembly Concurrent Resolution No. 15—Proposed amendment to article thirteen of the Constitution, relative to taxation.

Read first time, and ordered to second reading.

SECOND READING OF BILLS.

Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Passed on the file.

Senate Bill No. 31—An Act to provide for compiling, illustrating,

binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor.

Read second time.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Heath, the House went into Committee of the Whole for the purpose of considering Senate Bill No. 31—An Act to provide for compiling, illustrating, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor.

Speaker Parks in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The Speaker stated the report as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 31—An Act to provide for compiling, illustrating, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor—and now report the same back, and recommend its passage, as amended.

Report received.

Committee amendments approved.

The question then being on ordering the bill to be read third time, it was so ordered.

MOTION.

Mr. Heywood asked permission to withdraw Assembly Bill No. 276.

Objection being made, the roll call was demanded by Messrs. Munday, Moffitt, and Barnett.

Permission to withdraw the bill was granted by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Brett, Buhlert, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heywood, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McJunkin, McMurray, Mears, Morris, Reeves, Roseberry, Russ, Sullivan, Watson of Alameda, Ward of San Francisco, Weaver, and Mr. Speaker—42.

NOES—Messrs. Ashe, Barnes, Barnett, Black, Carter of Contra Costa, Coleman, Davis, DeWitt, Dooling, Goucher, Heath, Henley, Henry, Hollister, Hunt, Hussey, Johnson, Jones, McGlashan, McLean, Moffitt, Munday, Patterson, Porter, Swayne, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Wood, and Woodward—32.

By permission of the House, Mr. Firebaugh withdrew Assembly Bill No. 187.

RESOLUTION—(OUT OF ORDER).

By Mr. Munday:

Resolved, That the Committee on Ways and Means are hereby instructed to immediately report back to this Assembly Assembly Bill No 461.

So ordered on a division—ayes, 27; noes, 18.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 461—herewith return same, in accordance with the instructions of the House.

MAY, Chairman.

MOTION.

Mr. Coleman moved that Assembly Bill No. 461 be placed at the foot of the special file.

The roll call was demanded by Messrs. Coleman, Henley, and Mears.

It was so ordered by the following vote:

AYES—Messrs. Allen, Ashe, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Lafferty, Laughlin, Long, Lovell, McLean, McMurray, Mears, Morris, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, and Woodward—58.

NOES—Messrs. Almy, Banbury, Firebaugh, Heywood, Jordan, Loud, May, McGlashan, McJunkin, Walrath, Watson of Alameda, Wood, and Mr. Speaker—13.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 190—An Act to amend section two thousand six hundred and forty-two and repeal section two thousand six hundred and forty-four of the Political Code, in relation to the election of Road Overseers.

Read third time.

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

AYES—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Solano, Coleman, Dooling, Douglas, Edwards, Goucher, Hazard, Heath, Henley, Henry, Heywood, Hunt, McJunkin, Mears, Munday, Van Voorhies, Watson of El Dorado, Weaver, and Woodward—23.

NOES—Messrs. Ashe, Barnett, Black, Britt, Clark, Colby, Cook, Corcoran, Davis, DeWitt, Ellison, Firebaugh, French, Gregory, Hollister, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, May, McGlashan, McLean, McMurray, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, and Mr. Speaker—41.

Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit or otherwise.

Read third time.

Pending discussion of the bill, the hour of recess arrived.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed the following members as the committee as required by the resolution of Mr. Moffitt, to wit: Messrs. Moffitt, Ellison, Jones, Hazard, and Goucher.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.

MOTION.

Mr. May moved that Senate Bill No. 15 be taken up for consideration.
So ordered.

FIRST READING OF BILLS.

Senate Bill No. 15—An Act to amend section one thousand eight hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1882.
Read first time, and placed on special file for second reading.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 23—An Act to authorize the State Treasurer to receive, and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for money paid to the State Treasurer on deposit or otherwise.
Mr. Davis moved the previous question.
So ordered.

CALL OF THE HOUSE.

Mr. Munday moved a call of the House.
So ordered.
The roll was called, and the following members answered to their names:

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Goucher, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker.

Quorum present.
Mr. Munday moved that the Sergeant-at-Arms be directed to arrest the absentees and bring them before the bar of the House.
So ordered.
The Sergeant-at-Arms presented at the bar of the House Messrs. Coleman and French, who were excused by order of the House.
Mr. McLean moved that further proceedings under the call of the House be dispensed with.
So ordered.
The question then recurring on the passage of Assembly Bill No. 23, the roll was called, and the bill was lost by the following vote:

AYES—Messrs Banbury, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Davis, Douglas, Henley, Hollister, Hunt, Hussey, Lafferty, Laughlin, May, Munday, Pyle, Roseberry, Russ, Sullivan, Torrey, Watson of El Dorado, Weaver, Wood, and Mr. Speaker—28.

NOES—Messrs. Allen, Almy, Ashe, Buhlert, Colby, Cook, Corcoran, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, French, Goucher, Hazard, Heath, Heywood, Johnson, Jones,

Jordan, Long, Loud, Lovell, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Pellet, Reeves, Swayne, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, and Woodward—39.

NOTICE OF RECONSIDERATION.

Mr. Swayne gave notice that he would move to reconsider the vote whereby Assembly Bill No. 23 was lost.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 290—An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, Dooling, Douglas, Edwards, Firebaugh, French, Goucher, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—63.

NOES—Messrs. Barnett, Black, DeWitt, and Moffitt—4.

Title approved.

SECOND READING OF BILLS.

Assembly Bill No. 19—An Act to provide for the division of existing counties, and for the creation of new counties, to determine the location of county seats by an election, to declare the manner of providing officers, to provide funds for their support by the issuance of bonds, and to determine what portion of old county debts is chargeable to such new counties.

Passed on file.

Assembly Bill No. 16—An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874, providing for a change, and the establishment of the boundaries thereof, the same to include therein portions of the Counties of Fresno and Merced, and to provide for the payment of the portions of the debts of said counties equitably chargeable to San Benito County.

Mr. Goucher moved that the bill be re-referred to the Committee on County and County Boundaries, with instructions to report within three days, the bill then to take its original place on the file when reported back.

So ordered.

Assembly Bill No. 248—An Act to amend section one hundred and twelve of an Act to establish a uniform system of county and township governments, approved March 14, 1883, relating to the duties of County Clerk.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of the County Government Bill, authorizing the Board of Supervisors to allow certain deputies

Read second time.

The Committee on County and Township Governments offered to amend as follows: amend section one hundred and sixty-four so as to read as follows:

Section 164. The salaries and fees provided in this Act shall be in full compensation for all services of every kind and description rendered by the officers therein named, their deputies, and assistants; and all deputies employed shall be paid by their principals, out of the salaries hereinbefore provided; *provided*, however, the Assessor shall be entitled to receive and retain for his own use, six per cent on personal property tax collected by him as authorized by section three thousand eight hundred and twenty of the Political Code, and fifteen per cent of all amounts collected by him for poll taxes, and, *provided further*, that the Board of Supervisors shall allow to the Sheriff his necessary expenses for pursuing criminals, or transacting any criminal business, without the boundaries of his county, and for boarding prisoners in the county jail; *provided*, that the Board of Supervisors shall fix the price at which such prisoners shall be boarded. The Court shall also allow the Sheriff his necessary expenses in keeping and preserving property seized on attachment or execution, to be paid out of the fees collected in the action, all expenses necessarily incurred in conveying persons to and from the State Prison, and insane persons to and from the insane asylum, which shall be allowed by the Board of Examiners and collected from the State; and, *provided further*, that whenever, in the opinion of the Board of Supervisors, the salary of any county officer, in the twenty-sixth class, as fixed and provided in this Act, is insufficient to pay a reasonable compensation for the services required to be performed, the said Board shall allow such officer a deputy, or such number of deputies as in their judgment may be required to do the business of such office in connection with the principal, at a salary not to exceed one hundred dollars per month, to be paid at the times and in the manner that said principal is paid

Mr Britt moved to amend the amendment as follows: strike out, in line twenty-four, the words "twenty-sixth class," and insert in lieu thereof the words "thirteenth, twenty-third, twenty-fourth, twenty-sixth, thirty-second, thirty-third, thirty-seventh, and forty-first classes."

So ordered.

The question then being upon the amendment, as amended, it was so ordered.

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 8—An Act to amend section three hundred and thirty-two of the Civil Code, for the levying of assessments by corporations.

Ordered engrossed, and to be read third time.

FIRST READING OF BILLS.

Assembly Bill No. 35—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations."

Read first time, and ordered to second reading.

Assembly Bill No. 157—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure.

Read first time, and ordered to second reading.

Assembly Bill No. 155—An Act to amend section two hundred and twenty-four of the Civil Code, concerning the adoption of children.

Read first time, and ordered to second reading.

Assembly Bill No. 185—An Act to amend section one thousand one hundred and seventy of the Penal Code.

Read first time, and ordered to second reading.

Assembly Bill No. 260—An Act to amend section two hundred and twenty-six of the Civil Code, in relation to the adoption of children.

Read first time, and ordered to second reading.

Assembly Bill No. 183—An Act to fix the place of publication of summons and other legal notices.

Refused first reading.

Assembly Bill No. 197—An Act to amend an Act to establish a Civil Code, approved March 21, 1872, by adding a new section, to be numbered section five hundred and forty-one.

Refused first reading

Assembly Bill No. 44—An Act to amend section eighty of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Refused first reading.

Assembly Bill No. 362—An Act authorizing the Board of Supervisors of any county, or any subdivision of a county, having a bonded debt, to refund such debt at a less rate of interest.

Read first time, and ordered to second reading.

Assembly Constitutional Amendment No. 7—Relative to legislative department.

Read first time, and ordered to second reading.

Assembly Bill No. 330—An Act to amend section two thousand five hundred and twenty-five of the Political Code, relating to the Board of State Harbor Commissioners, their powers and duties.

Read first time, and ordered to second reading.

Assembly Bill No 312—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure, relative to the compensation of Court Reporters.

Read first time, and ordered to second reading.

MOTION.

Mr. Heath moved that Assembly Constitutional Amendment No. 7 be placed on the special file.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 297—An Act to amend the Code in relation to the taxation of ferry boats and all water crafts.

Read first time, and ordered to second reading.

Assembly Bill No. 120—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section two thousand five hundred and fifty-four, relating to the collection of wharfage on merchandise by the Board of State Harbor Commissioners.

Read first time, and ordered to second reading.

MOTION.

Mr. Loud moved that Assembly Bill No. 120 be placed on the special file.

The roll call was demanded by Messrs. Loud, Coleman, and Buhlert.

The motion was lost by the following vote:

AYES—Messrs Allen, Almy, Ashe, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Corcoran, Davis, DeWitt, Firebaugh, Gregory, Heath, Heywood, Hollister, Johnson, Jones, Kalben, Long, Loud, May, McGlashan, Pellet, Porter, Reeves, Roseberry, Torrey, Ward of Butte, Weaver, and Wood—31.

NOES—Messrs Banbury, Barnett, Black, Britt, Colby, Coleman, Cook, Deveny, Douglas, Ellison, Franklin, French, Goucher, Hazard, Henry, Jordan, Lafferty, Laughlin, Lovell, McDonald, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Woodward, and Mr. Speaker—34.

Senate Concurrent Resolution No. 10—Relative to adulterations of articles of food.

Read and adopted.

Assembly Bill No. 350—An Act to authorize the construction and leasing of a hotel in the Yosemite Valley, and to appropriate money therefor.

Read first time, and ordered to second reading.

Assembly Bill No. 311—An Act to authorize the Chief of Police of any city, or city and county, to appoint an interpreter of the Italian language and dialects in criminal proceedings in said cities and cities and counties.

Read first time, and ordered to second reading.

Assembly Bill No. 310—An Act compelling pawnbrokers to furnish a description of personal property upon which money has been loaned.

Refused first reading.

Assembly Bill No. 249—An Act to amend sections three hundred and thirty-nine, three hundred and forty, three hundred and forty-one, and three hundred and forty-three of the Penal Code, relative to pawnbrokers.

Read first time, and ordered to second reading.

Assembly Bill No. 166—An Act providing money for contingent expenses of the Controller.

Read first time, and ordered to second reading.

Assembly Bill No. 269—An Act to establish a State School of Industry, and to provide for the organization and government thereof, and the making of appropriations therefor.

Read first time, and ordered to second reading.

Assembly Bill No. 252—An Act to amend the Civil Code, by adding to part four, division one, a new title, providing for the incorporation of colleges and seminaries of learning.

Read first time, and ordered to second reading.

Assembly Bill No. 279—An Act to authorize the Board of Directors of the Veterans' Home Association to transfer the property in their possession to the Federal Government.

Read first time, and ordered to second reading.

Assembly Bill No. 333—An Act to amend section nine hundred and fifty-two of the Code of Civil Procedure.

Read first time, and ordered to second reading.

Assembly Bill No. 299—An Act to add a new section to the Penal Code, to be known as section three hundred and ten, relating to selling liquor to patients in county hospitals.

Read first time, and ordered to second reading.

Assembly Bill No. 272—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section, numbered three hundred and thirty-seven, for the punishment of certain persons who encourage gaming.

Read first time, and ordered to second reading.

Assembly Bill No. 287—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, concerning mortgages of personal property.

Read first time, and ordered to second reading.

Assembly Bill No. 324—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand two hundred and sixty-eight, relating to escheats.

Read first time, and ordered to second reading.

Assembly Bill No. 210—An Act to regulate the fees of jurors.

Refused first reading.

Assembly Bill No. 162—An Act fixing per diem fees for jurors serving on Coroners' juries of inquest, and on the trials of criminal cases in Justices' Courts, and providing the method of paying the same.

Refused first reading.

Assembly Bill No. 141—An Act to repeal an Act entitled "An Act to establish the Code of Civil Procedure," in relation to the abolishment of City Justices of the Peace.

Refused first reading.

Assembly Bill No. 298—An Act to add a new section to the Political Code, to be designated as section one thousand and eighty-five, relating to patients in county hospitals voting.

Refused first reading.

Assembly Bill No. 240—An Act relating to fees to be collected for services rendered in cases pending in any Court, Executive Department, or Land Office of the United States.

Refused first reading.

Assembly Bill No. 212—An Act to amend section four hundred and nineteen of the Civil Code.

Read first time, and ordered to second reading.

Assembly Bill No. 282—An Act to amend section seven of an Act entitled "An Act to create an additional Police Judge's Court for the City and County of San Francisco, to define its powers and jurisdiction," approved March 7, 1881.

Refused first reading.

Assembly Bill No. 59—An Act to prevent bribery at elections.

Refused first reading.

Assembly Bill No. 241—An Act to add a new section to the Political Code, to be known as section three thousand three hundred and forty-six, relating to the power of Boards of Supervisors of any city and county, or city, or town, having a population of one hundred thousand or more people, in this State, to make annual appropriation for the purpose of keeping in order burial grounds exclusively devoted to the interment of the deceased members of any organized order of exempt firemen therein.

Refused first reading.

Assembly Bill No. 259—An Act to amend section one thousand five hundred and fifteen of an Act to establish a Penal Code, approved February 14, 1872.

Refused first reading.

Assembly Bill No. 296—An Act to add a new section to the Political Code, to be numbered two hundred and forty-one, providing for the assignment of seats in the chambers of the Senate and Assembly, respectively, among the members of the Legislature.

Refused first reading.

Senate Bill No. 118—An Act for the relief of Robert McKillican.

Read first time, and ordered to second reading.

Assembly Bill No. 309—An Act appropriating money to pay the claim of William Gutenberger, for mechanics' tools and property destroyed at the branch State Prison at Folsom.

Read first time, and ordered to second reading.

Assembly Bill No. 349—An Act to provide for the payment of the claim of William Saunders.

Read first time, and ordered to second reading.

Senate Bill No. 97—An Act to prevent the spreading of fruit and fruit tree pests and diseases, and to provide for their extirpation.

Read first time, and ordered to second reading.

Assembly Bill No. 53—An Act to propose an amendment to article twenty of the Constitution of the State of California, in relation to miscellaneous subjects, by adding thereto a new section twenty-one, in relation to the equalization of election districts.

Refused first reading.

Assembly Constitutional Amendment No. 8—Proposed amendment to article thirteen of the Constitution, relative to taxation.

Refused first reading

Assembly Constitutional Amendment No. 9—Proposed amendment to article thirteen of the Constitution, relative to taxation.

Refused first reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced and referred as follows

By Mr. Munday: Assembly Bill No. 536—An Act to provide for the granting of franchises to use streets, and for the use of streets in incorporated cities and counties, cities, or towns, and for the transportation of local passengers therein.

Referred to Committee on Municipal Corporations.

By Mr. McGlashan: Assembly Bill No. 537—An Act to provide for the impounding of mining debris.

Referred to Committee on Corporations.

By Mr. Carter of Solano: Assembly Bill No. 538—An Act for the suppression of vagrancy, to be known as the "Tramp Act."

Referred to Committee on Public Morals.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Moffitt:

Resolved, That the committee appointed to investigate the accounts of J. W. McCarthy, Clerk of the Supreme Court, be and it is hereby empowered to employ an expert accountant, and, should it find it necessary, to employ a stenographer. That the committee is also empowered to send for persons and papers necessary to complete the discharge of its duties.

So ordered.

By Mr. McMurray.

Resolved, That the sum of one hundred and one dollars and forty cents be appropriated from the Contingent Fund of the Assembly to pay the annexed claim of the County Clerk of Alameda County for services as witness, etc., in the contested election case of W. B Tyler vs T. C. Morris; and be it further

Resolved, That the State Controller be directed to draw his warrant for said sum in favor of said County Clerk, as aforesaid.

So ordered.

By Mr. DeWitt:

Resolved, That the Controller be authorized to draw his warrant on the Contingent Fund of the Assembly in favor of E. L. DeWitt, acting Chairman of Committee on State Hospitals, for payment of mileage to the Stockton Insane Asylum and return, the distance being ninety-six miles, for members of the committee and clerk, as follows N T Whitcomb, P Deveny, F. J. Woodward, W. B May, E. L DeWitt, H. A. Pellet, and C. L Marple, Clerk.

Referred to Committee on Mileage.

MOTION.

On motion of Mr. Weaver, the special orders for this evening were changed, to read fifteen minutes later than as printed.

RECESS.

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

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M.
Speaker Parks in the chair.
Quorum present.

NOTICES OF RECONSIDERATION.

Mr. French gave notice that he would move to reconsider the vote whereby Assembly Bill No. 190 was lost.
Mr. Cook gave notice that he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 8 was lost.

SPECIAL ORDERS.

The time for the consideration of special orders for seven o'clock and thirty minutes P. M. this day having arrived, the consideration of Assembly Bill No. 410—An Act to amend title eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections, numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irrigation purposes, and declaring such purposes a public use, and to come within title seven, of part three, of the Code of Civil Procedure of this State—was resumed.
Read second time.
Mr. Firebaugh moved the adoption of the following substitute to the pending amendment of Mr. McJunkin, to strike out section one: strike out section one, and insert, in lieu thereof, the following:

SECTION 1. Section 1422 The rights of riparian proprietors heretofore acquired are not affected by the provisions of this title, but all claims to riparian rights acquired hereafter shall be subject to rights theretofore acquired by compliance with the provisions of this title.

Mr. McJunkin moved that Rules Numbers Forty-eight, Forty-nine, and Fifty of the Standing Rules of the Assembly be suspended for this evening.
Lost.
The question then being upon the adoption of the substitute offered by Mr. Firebaugh, the roll call was demanded by Messrs. McJunkin, Davis, and Watson of Alameda.
The substitute was lost by the following vote:

AYES—Messrs. Douglas, Ellison, Firebaugh, French, Heath, Henry, Jones, McJunkin, Pellet, Porter, Van Voorhies, Walrath, Watson of Alameda, Wood, and Woodward—15.

NOES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Buhlert, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Franklin, Goucher, Gregory, Hazard, Heywood, Hollister, Hunt, Hussey, Johnson, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Ward of Butte, Ward of San Francisco, Weaver, Yule, and Mr Speaker—58.

Mr. Coleman moved to make Assembly Bill No. 410 the special order for Wednesday, February 18, 1885, at seven o'clock and thirty minutes P. M., and that it be placed after Assembly Bill No. 170 on the file.

Mr. Coleman amended his motion, so as to make the consideration of Assembly Bills Nos 170, 171, Assembly Constitutional Amendment No. 3, and Assembly Bill No. 410, a special order for Wednesday, February 18, 1885, at seven o'clock and thirty minutes P. M., and that they take their place on the file in the above order.

Withdrawn by consent of the House.

Mr. Coleman moved to make the further consideration of Assembly Bill No. 410 a special order for Wednesday, February 18, 1885, at seven o'clock and thirty minutes P. M.

The roll call was demanded by Messrs. Coleman, McGlashan, and Jordan.

The motion was lost by the following vote:

AYES—Messrs. Allen, Almy, Britt, Colby, Coleman, Davis, Dooling, Douglas, Ellison, Firebaugh, French, Gregory, Heywood, Hollister, Jones, Jordan, Lafferty, Loud, Lovell, McGlashan, McJunkin, Porter, Roseberry, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Wood, and Woodward—29.

NOES—Messrs. Ashe, Banbury, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Daley, Deveny, DeWitt, Edwards, Franklin, Goucher, Hazard, Hunt, Johnson, Kalben, Laughlin, Long, May, McDonald, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Reeves, Russ, Torrey, Ward of Butte, Weaver, Yule, and Mr. Speaker—40.

MOTION TO ADJOURN.

At nine o'clock and forty-five minutes, Mr. Woodward moved that the House adjourn.

The roll call was demanded by Messrs. Munday, Barnes, and Daley.

The motion was lost by the following vote:

AYES—Messrs Allen, Almy, Britt, Buhlert, Colby, Davis, Douglas, French, Gregory, Heywood, Hollister, Jones, Jordan, Lafferty, Laughlin, Loud, Lovell, McJunkin, Pellet, Porter, Roseberry, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Wood, and Woodward—29.

NOES—Messrs. Ashe, Banbury, Barnes, Barnett, Black, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Deveny, DeWitt, Dooling, Edwards, Firebaugh, Franklin, Goucher, Hazard, Hunt, Johnson, Kalben, Long, May, McDonald, McGlashan, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Reeves, Torrey, Ward of Butte, Weaver, and Mr Speaker—41.

Mr. McGlashan moved to make the further consideration of Assembly Bill No. 410 a special order for Wednesday, February 18, 1885, at eleven o'clock A. M.

Lost.

Mr. Davis moved to make the consideration of Assembly Bills Nos. 170, 171, and 410, and Assembly Constitutional Amendment No. 3, a special order for Wednesday, February 18, 1885, at seven o'clock and thirty minutes P. M.

The roll call was demanded by Messrs. Edwards, Colby, and Hazard.

The motion was carried by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Barnes, Britt, Buhlert, Carter of Solano, Colby, Coleman, Corcoran, Davis, DeWitt, Douglas, Ellison, Firebaugh, French, Gregory, Heywood, Hollister, Johnson, Jones, Jordan, Lafferty, Loud, Lovell, McGlashan, McJunkin, McLean, Mears, Pellet, Porter, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr Speaker—44

NOES—Messrs Banbury, Barnett, Black, Carter of Contra Costa, Clark, Culver, Daley, Deveny, Dooling, Edwards, Franklin, Goucher, Hazard, Hunt, Hussey, Kalben, Laughlin, Long, May, McDonald, McMurray, Moffitt, Morris, Munday, Patterson, Pyle, Reeves, Weaver, and Yule—29.

The motion of Mr. McJunkin to strike out section one of Assembly Bill No. 410—pending.

ADJOURNMENT.

At ten o'clock and ten minutes P. M., on motion of Mr. Edwards, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 18, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

MOTIONS.

Mr. Edwards moved that Assembly Bill No. 428 (No. 98 on the file) take the place of Assembly Bill No. 19 (No. 1 on the file).

So ordered.

Mr. Hazard moved that Assembly Bill No. 472 be placed on the special file.

Lost.

Mr. McGlashan moved that Assembly Bill No. 242 be placed on the special file.

Lost.

Mr. Firebaugh moved that Assembly Bill No. 302 be placed on the special file.

Lost.

RESOLUTION—(OUT OF ORDER).

By Mr. Moffitt:

Resolved, That the committee appointed to investigate the alleged irregularities in the office of John W. McCarthy, Clerk of the Supreme Court, be and is hereby allowed a clerk, at a salary not exceeding five dollars per day.

So ordered.

WITHDRAWAL OF BILLS.

By permission of the House, Mr. Firebaugh withdrew Assembly Bill No. 246.

By permission of the House, Mr. Van Voorhies withdrew Assembly Bill No. 326.

REPORTS OF STANDING COMMITTEES.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 478—Entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by amending section one thousand one hundred and ninety, relating to the payment of election rewards"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McMURRAY, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1885.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 329—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. W. T. CARTER, Chairman.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 467—An Act to limit and fix the rates and price of gas in all cities within the State of California having a population of one hundred thousand inhabitants or more—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass, as amended.

Also, Assembly Bill No. 441—An Act for the safety of lives.

Also, Assembly Bill No. 473—An Act to enable cities and towns and cities and counties to dispose of disused cemeteries.

Also, Assembly Bill No. 519—An Act to provide for the better protection of life and limb on cable roads, and to punish negligence.

Have had the same under consideration, and respectfully report the same back and recommend that they do not pass.

LOUD, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 516—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the punishment of receivers of stolen property.

Also, Assembly Bill No. 523—An Act to authorize the commitment of prisoners to Houses of Correction.

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

Also, Assembly Bill No. 515—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also, Assembly Bill No. 117—An Act to amend section three hundred and seven of the Penal Code, relating to the sale and use of opium.

Also, Assembly Bill No. 223—An Act to regulate the sale of opium and other narcotic poisons.

Also, Senate Bill No. 33—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relative to the sale and use of opium, or any preparation thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

FRENCH, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 510—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BANBURY, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1885.

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 500—An Act to declare American River navigable from its mouth to the suspension bridge at the town of Folsom—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LOVELL, Chairman.

ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the resolution introduced by Mr. Jordan—have had the same under consideration, and recommend that F. M Lovell be entitled to mileage for one hundred and ninety-two miles.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of nineteen dollars and twenty cents for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Porter: Assembly Bill No. 539—An Act to prohibit the licensing and sale of alcoholic liquors outside of incorporated towns and cities.

Referred to Committee on Public Morals.

By Mr. Colby: Assembly Bill No. 540—An Act to amend section eight hundred and forty-one of the Civil Code, relating to partition fences.

Referred to Committee on Agriculture.

By Mr. Mears: Assembly Bill No. 541—An Act to amend section eight hundred and seventy-seven of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

By Mr. Woodward: Assembly Bill No. 542—An Act to add a section to the Penal Code, to be numbered two hundred and sixty-eight, to punish seduction.

Referred to Committee on Public Morals.

By Mr. Jordan: Assembly Bill No. 543—An Act to amend an Act entitled "An Act to establish a uniform system of county governments," approved March 14, 1883, relative to the duties of Coroners and Justices of the Peace holding inquests.

Referred to Committee on County and Township Governments.

SPECIAL FILE—SECOND READING OF BILLS

Assembly Constitutional Amendment No. 15—Proposed amendment to article thirteen of the Constitution, relative to taxation.

Read second time.

The Committee on Constitutional Amendments offered the following amendment, to wit: in the preamble, insert, after the words "hereby proposes that," the words "sections one, eight, ten, and eleven of."

So ordered.

Also, amend section one, by striking out all of the section, and inserting in lieu thereof the following:

SECTION 1. All property in the State, not exempt under the laws of the United States, except railroads, shall be taxed in proportion to its value, to be ascertained as provided by law. The word property, as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership, *provided*, that growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or any county or municipal corporation within this State, shall be exempt from taxation; and, *provided further*, that railroads shall be taxed as provided in section ten of this article, and, *provided further*, that the Legislature may provide for the exemption from taxation of ships and vessels owned and registered or enrolled in this State, or may tax such ships and vessels on their gross or net earnings, in lieu of an ad valorem tax. The Legislature may also provide, except in case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this State. Double taxation in any form is prohibited.

So ordered.

Also, amend section eight; after the words "require each taxpayer in this State," insert the words "except railroads."

So ordered.

Also, amend section eight, by striking out, after the words "as defined in section," the word "one," and insert the word "ten."

So ordered.

Also, amend section ten, by inserting after the word "earnings," the words "earned within this State."

So ordered.

Also, amend section ten, by striking out the words "as defined in section one of this article."

So ordered.

Also, amend section ten, by inserting, after the words "annual tax of," the words "two and a half."

Mr. Weaver moved to amend, by inserting "three," instead of "two and a half."

Lost.

The committee amendment was then adopted, inserting "two and a half."

Also, amend section ten, by inserting, after the word "franchise," the words "right of way."

So ordered.

Also, amend section ten, by striking out the word "precedent," and inserting in lieu thereof the word "preceding."

So ordered.

Also, amend section ten, by striking out the words "and steam."

So ordered.

Also, amend section ten, by inserting, after the word "earnings," the word "earned."

So ordered.

Also, amend section ten, by inserting, after the word "railroad," the words "and upon the."

So ordered.

Also, amend section ten, by striking out the words "all the property needful to the proper and efficient use and operation of such rail-

road. as such property is defined in section one of this article," and insert in lieu thereof the words "the franchise, roadway, roadbed, rails, rolling stock, fences, roundhouses, stations, and their appurtenances, and upon ferryboats when operated as a part of such railroad, shares of the capital stock, and upon the mortgages, deeds of trust, contracts, or other obligation by which a debt is secured upon such property."

So ordered.

Also, amend section ten, by inserting, after the word "State," the words "and used in making such earnings."

So ordered.

Also, amend section ten, by striking out, after the word "county," all down to and including the word "State," and insert in lieu thereof "or counties in which said railroad is situated, in proportion to the length of the railroad operated in the several counties. For the purposes of this section a consolidated city and county shall be treated as a county."

So ordered.

Also, amend section ten, by striking out the words "failing to file such acceptance as aforesaid or."

So ordered.

Also, amend section ten, after the word "due," by inserting the words "or within thirty days thereafter."

So ordered.

Also, amend section ten, by striking out the word "taxes," and inserting in lieu thereof the word "purposes."

So ordered.

Also, amend section ten, by adding, at the end of the said section, the following words: "and all railroads, so far as they are situated within the boundaries of any incorporated city or town, shall be subject to an ad valorem tax for municipal purposes the same as other property situated therein, anything in this article to the contrary notwithstanding."

So ordered.

Also, amend section eleven, by inserting after the word "interfere," the word "with."

So ordered.

Also, amend section eleven, by inserting after the word "Court," the word "of."

So ordered.

Mr. Woodward moved to amend section one, by striking out the words "double taxation in any form is prohibited."

Lost.

Bill ordered to be engrossed, and to be read third time

Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Jordan, the House went into Committee of the Whole for the purpose of further considering Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Speaker Parks in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

RECESS.

At twelve o'clock and thirty minutes, the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Jordan, the House went into Committee of the Whole for the purpose of further considering Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Speaker Parks in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Parks in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years—and now report it back, and recommend its passage, as amended

Report received.

The question being upon the adoption of the amendments made in the Committee of the Whole.

Messrs. Corcoran, Black, and Weaver demanded the roll call upon the adoption of the following amendments, offered by the committee: "For salary of State Engineer, twelve thousand dollars;" "for salary of Secretary of State Engineer, thirty-two hundred dollars."

The amendments were adopted by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnett, Barnes, Britt, Buhlert, Clark, Cook, Davis, DeWitt, Edwards, Franklin, French, Goucher, Gregory, Hazard, Heath, Heywood, Hunt, Hussey, Johnson, Jones, Kalben, Lafferty, Laughlin, Long, May, McDonald, McClashan, McLean, Moffitt, Munday, Patterson, Pyle, Reeves, Russ, Swayne, Torrey, Watson of El Dorado, Weaver, Wood, Yule, and Mr. Speaker—45

NOES—Messrs Black, Carter of Solano, Colby, Corcoran, Deveny, Dooling, Firebaugh, Henry, Hollister, Jordan, Loud, Lovell, McJunkin, McMurray, Mears, Pellet, Porter, Sullivan, Van Voorhies, Ward of Butte, Ward of San Francisco, and Woodward—22.

Messrs. Weaver, Goucher, and Jordan demanded the roll call upon the adoption of the following amendment, offered by Mr. Weaver:

strike out, in section one, line two hundred and ten, the word "two," and insert in lieu thereof the word "one."

The amendment was lost by the following vote:

AYES—Messrs. Colby, Edwards, Hollister, Loud, McJunkin, McLean, Mears, Moffitt, Munday, Sullivan, Torrey, Van Voorhies, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, and Yule—18.

NOES—Messrs Allen, Almy, Ashe, Banbury, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Lovell, May, McDonald, McGlashan, McMurray, Patterson, Porter, Pyle, Reeves, Russ, Swayne, and Mr Speaker—45.

Mr. Britt moved that Rule Seven of the Standing Rules of the Assembly be suspended during the further consideration of Assembly Bill No. 37.

The roll call was demanded by Messrs. Black, Munday, and Laughlin.

The motion was lost by the following vote:

AYES—Messrs. Ashe, Barnett, Black, Britt, Clark, Coleman, Davis, Dooling, Goucher, Gregory, Hazard, Heath, Henley, Henry, Johnson, Jones, Laughlin, Loud, Lovell, McDonald, McLean, Mears, Moffitt, Munday, Patterson, Van Voorhies, Watson of El Dorado, and Ward of Butte—28.

NOES—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Daley, Deveny, DeWitt, Edwards, Firebaugh, Franklin, French, Heywood, Hollister, Hunt, Hussey, Jordan, Kalben, Lafferty, Long, May, McGlashan, McJunkin, McMurray, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—40.

Mr. Dooling moved that the House go into Committee of the Whole for the purpose of further considering Assembly Bill No. 37.

Lost.

Bill ordered engrossed, and to be read third time.

COMMUNICATION.

By permission of the House, the Chief Clerk read the following communication:

STATE OF CALIFORNIA, OFFICE OF THE STATE ENGINEER.
SACRAMENTO, February 16, 1885.

Hon. Wm H. Parks, Speaker of the Assembly:

SIR: In debate, this day, on the items of appropriation for the State Engineering Department, the Hon. H. J. Corcoran charged me with various delinquencies and wrongful acts, as follows:

1. That I had violated a pledge made to complete the works committed to my charge with the appropriation made two years ago.

2. That I had used moneys appropriated for State work in the surveying of private lands for the benefit of private individuals, and in making maps for private individuals.

3. That I had neglected official duties to attend to private business.

4. That I had interfered in the municipal affairs of the City of Stockton, in the matter of sewerage works, because I had not or could not get some commission on the work.

These charges, one and all, I most emphatically denounce as false, and at the same time I respectfully suggest that as they are directed against me personally, and not against the department, my official conduct should be inquired into and reported upon by a duly authorized committee, and that the result or proceedings should have nothing to do with the matters pertaining to the State Engineering Department.

It is within the province of the Legislature to remove me from office, if I have done wrong. I stand ready to answer for my official conduct.

Respectfully yours,

WM. HAM. HALL, State Engineer.

MOTION.

Mr. McJunkin moved that Assembly Bill No. 523 be placed on special file.

So ordered.

RECONSIDERATION.

Mr. Swayne moved to reconsider the vote whereby Assembly Bill No. 23 was lost.

CALL OF THE HOUSE.

Mr. Henry moved a call of the House.

So ordered.

The absentees being called inside the bar of the House, Mr. Lovell moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then recurring on the motion of Mr. Swayne, to reconsider the vote whereby Assembly Bill No. 23 was lost, the roll was called, and the motion was carried by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Davis, Deveny, Douglas, Ellison, Franklin, French, Henley, Henry, Hollister, Johnson, Lafferty, Laughlin, Lovell, May, McDonald, McMurray, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Roseberry, Russ, Swayne, Torrey, Walrath, Watson of El Dorado, Weaver, Wood, Yule, and Mr. Speaker—43.

NOES—Messrs. Allen, Ashe, Buhlert, Colby, Cook, Corcoran, Culver, Daley, Dooling, Edwards, Firebaugh, Gregory, Hazard, Heath, Heywood, Hunt, Hussey, Jones, Jordan, Kalben, Loud, McGlashan, McJunkin, McLean, Mears, Reeves, Sullivan, Van Voorhies, Ward of Butte, Ward of San Francisco, and Woodward—32.

The question then recurring on the passage of Assembly Bill No. 23, the roll was called, and the bill passed by the following vote:

AYES—Messrs Almy, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Daley, Davis, Deveny, Douglas, Franklin, French, Henley, Henry, Hollister, Johnson, Lafferty, Laughlin, May, McMurray, Moffitt, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of El Dorado, Ward of San Francisco, Weaver, Wood, Yule, and Mr. Speaker—43.

NOES—Messrs. Allen, Ashe, Banbury, Buhlert, Colby, Cook, Corcoran, Culver, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Gregory, Hazard, Heath, Heywood, Hunt, Hussey, Jones, Jordan, Kalben, Loud, Lovell, McDonald, McGlashan, McJunkin, McLean, Mears, Morris, Van Voorhies, Ward of Butte, and Woodward—32.

Title approved.

MOTION.

Mr. Coleman moved that a committee of three be appointed to investigate the charges made against State Engineer Wm. Ham. Hall.

Lost.

RECONSIDERATION.

Mr. French moved to reconsider the vote whereby Assembly Bill No. 190 was lost.

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

AYES—Messrs. Allen, Almy, Banbury, Coleman, Deveny, Edwards, Franklin, French, Hazard, Henley, Kalben, Lovell, May, McJunkin, Mears, Moffitt, Munday, Porter, Sullivan, Swayne, Van Voorhies, and Weaver—22.

NOES—Messrs. Ashe, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Dooling, Ellison, Firebaugh, Gregory, Heath, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, Loud, McDonald, McLean, McMurray, Morris, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—47.

Mr. Roseberry moved to reconsider the vote whereby Assembly Constitutional Amendment No. 8 was lost.

Lost.

MOTION.

Mr. Weaver moved that Substitute for Assembly Bill No. 72 be placed at the head of the special file.

Lost.

SPECIAL FILE—(RESUMED)—THIRD READING OF BILLS.

Senate Bill No. 31—An Act to provide for compiling, illustrating, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor.

Mr. Jordan moved that the bill be referred to a select committee of one, with instructions to amend as follows, and report immediately: insert, after "State," in line five, section two, the words "together with the copyright of the same, and the exclusive right to manufacture and sell such works within the State of California."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Jordan a select committee to amend Senate Bill No. 31 as amended above.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1885.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 31, with instructions to make amendments, would respectfully report that the instructions of the House have been carried out.

W. H. JORDAN.

The bill was ordered printed, with the amendments as made by the select committee.

FIRST READING OF BILLS.

Assembly Bill No. 3—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Read first time, and ordered to second reading.

Assembly Bill No. 4—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Read first time, and ordered to second reading.

Assembly Bill No. 205—An Act making an appropriation for the deficiency in the appropriation for official advertising for the thirty-second fiscal year.

Read first time, and ordered to second reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bill No. 156—An Act to appropriate the sum of thirty-four thousand four hundred and nineteen dollars and forty cents, with legal interest thereon, to pay the amount found by

the Sixth Judicial District Court to be due M. Miles, and his sureties, for work done under contract, in building the State Prison at Folsom.

Also, Substitute for Assembly Bills Nos 72 and 326.

Also, Assembly Bill No 225—An Act entitled "An Act to prevent persons passing through inclosures and leaving them open, and to prevent hunting upon inclosed lands in the State of California," approved March 23, 1876.

Also, Assembly Bill No. 88—An Act to diminish the cost of judicial proceedings, and to regulate the fees of Sheriffs, and certain other officers

Also, Assembly Bill No. 248—An Act to amend section one hundred and twelve of an Act to establish a uniform system of county and township governments, approved March 14, 1883, relating to the duties of County Clerk

Also, Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of the County Government Bill, authorizing the Board of Supervisors to allow certain deputies

Also, Assembly Bill No 8—An Act to amend section three hundred and thirty-two of the Civil Code, for the levying of assessments by corporations.

Also, Assembly Constitutional Amendment No. 15—Proposed amendment to article thirteen of the Constitution, relative to taxation.

DEVENY, Chairman.

GENERAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 19—An Act to provide for the division of existing counties, and for the creation of new counties, to determine the location of county seats by an election, to declare the manner of providing officers, to provide funds for their support by the issuance of bonds, and to determine what portion of old county debts is chargeable to such new counties.

Withdrawn by consent of the House.

FIRST READING OF BILLS.

Assembly Bill No. 402—An Act to create a State Board of Charities, and to define its powers, prescribe its duties, and provide for its maintenance.

Withdrawn by consent of the House.

Assembly Bill No. 428—An Act to create the County of Orange, to establish the boundaries thereof, and to provide for its organization.

Read first time, and ordered to second reading.

MOTION.

Mr. Edwards moved that Assembly Bill No. 428 be placed on the special file.

Lost.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 419—An Act to prevent the sale of tobacco to minors.

Read first time, and ordered to second reading.

Assembly Bill No. 239—An Act to establish a boys' reform school for the correction and reformation of juvenile offenders.

Withdrawn by consent of the House.

Assembly Bill No. 325—An Act to prohibit the sale of prepared opium, opium pipes, or any part thereof.

Withdrawn by consent of the House.

Assembly Bill No. 273—An Act to permit the electors of every Supervisor's District in this State to vote on the question of the granting of licenses to sell intoxicating liquors.

Withdrawn by consent of the House.

Assembly Bill No. 347—An Act to permit the electors of every Supervisor District in this State to vote on the question of granting of licenses to sell intoxicating liquors.

Refused first reading.

Assembly Constitutional Amendment No. 10—Proposed amendment to article six of the Constitution, relative to salaries of Justices of the Supreme Court and Superior Court Judges.

Passed on the file.

Assembly Bill No. 263—An Act to amend sections seven hundred and sixty-four, seven hundred and seventy-one, seven hundred and seventy-three, and seven hundred and eighty-nine, and repeal section seven hundred and fifty-eight of an Act to provide for the organization, incorporation, and government of municipal corporations.

Read first time, and ordered to second reading.

Assembly Bill No. 438—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Mr. McGlashan moved to refer the bill to the Committee on Fish and Game.

Lost on a division.

Bill read first time, and ordered to second reading.

Assembly Bill No. 354—An Act to amend section eight hundred and sixty-nine of the Penal Code, relating to the taking and authentication of testimony on examination in criminal cases.

Withdrawn by consent of the House.

Assembly Bill No. 306—An Act for the benefit of the poor.

Withdrawn by consent of the House.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced and referred as follows:

By Mr. McJunkin: Assembly Bill No. 544—An Act establishing a Commission, to examine and report upon water rights and irrigation in the State of California.

Referred to Committee on Water Rights and Drainage.

By Mr. Munday: Assembly Bill No. 545—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor.

Referred to Committee on Judiciary.

RECESS.

At five o'clock, the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M.

Speaker Parks in the chair.

Quorum present.

SPECIAL ORDERS.

The hour for the consideration of special orders for seven o'clock and thirty minutes P. M. this day having arrived, Assembly Bill No. 410—An Act to amend title eight, of part four, of the Act to establish

a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections, numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irrigation purposes, and declaring such purposes a public use, and to come within title seven, of part three, of the Code of Civil Procedure of this State—was taken up for further consideration.

The question being on the pending motion of Mr. McJunkin to amend by striking out section one

Mr. Firebaugh moved to amend the amendment as follows: strike out section one, and insert in lieu thereof the following:

SECTION 1. Section 1422 The rights of riparian proprietors heretofore acquired are not affected by the provisions of this title.

Lost.

The question then recurring on the motion of Mr. McJunkin.

The roll call was demanded by Messrs. McJunkin, Ellison, and Porter.

The motion was lost by the following vote:

AYES—Messrs Davis, Douglas, Ellison, Firebaugh, Heywood, McJunkin, Porter, and Walrath—8.

NOES—Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Coleman, Cook, Corcoran, Culver, Daley, Deveny, DeWitt, Edwards, Franklin, Gregory, Hazard, Henley, Hollister, Hunt, Hussey, Johnson, Kalben Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McLean, McMurray, Means, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Yule, and Mr Speaker—51

The Committee on Irrigation offered to amend as follows: amend section two by striking out of line five the words "to have never formed any," and inserting in lieu thereof the words "forms no."

So ordered.

Mr. Firebaugh moved to amend as follows: amend section two by striking out all after the word "irrigation"

Lost.

Mr. Ellison moved to amend by striking out section two.

Lost

Mr Munday moved to amend as follows: strike out, in section two, lines three and four, the words "and necessities of people," and insert, after the word "State," on line four, the words "and the necessities of the people thereof."

So ordered.

Mr. McJunkin moved to amend as follows. after the word "confirmed," in line two, section five, add the words "and nothing in this Act shall in any manner affect suits or litigations pending in any of the Courts of this State."

Lost.

Mr. Weaver moved to amend, by striking out section five, and renumbering the succeeding sections.

So ordered.

Mr. Firebaugh moved to amend, by striking out the new section five.

Lost.

Mr. Walrath offered the following substitute for section five.

All existing rights of appropriations for mining, milling, and manufacturing purposes, are hereby confirmed.

Lost.

Mr. Walrath moved to amend as follows:

SECTION 1 Section one thousand four hundred and twenty-two of the Civil Code of this State is amended to read as follows.

Section 1422. The right of riparian proprietors to the use of water of running streams for actual family and domestic use shall not be impaired by the provisions of this Act, and the appropriation, diversion, and use of the waters of the rivers and streams, except the use thereof by riparian proprietors hereinbefore stated, shall be subject to diversion, appropriation, and use for milling and manufacturing and irrigation purposes.

Lost.

Mr. Britt moved to amend as follows: after the word "rights," in line two, of section two, insert the words "and which forbids the diversion of water from streams for purposes of irrigation."

Lost

Mr. Walrath offered the following substitute to section one:

The rights of riparian proprietors are not affected by the provisions of this title, but their right shall not be construed to extend to more than the minimum quantity of water in the stream at its lowest stage, *provided*, that in no case shall there be diverted from any stream water unless a flowing stream remains therein, and the same continues to flow to its mouth.

Lost.

Mr. Walrath moved to amend as follows: insert in section two, after the words "for purposes of irrigation," the words "and mining."

Lost.

Mr. Britt moved to strike out the enacting clause.

The roll call was demanded by Messrs. Firebaugh, McJunkin, and Britt.

The motion was lost by the following vote:

AYES—Messrs Britt, Coleman, Davis, Ellison, Firebaugh, Heath, Heywood, Jones, McJunkin, Pellet, Porter, Walrath, Watson of El Dorado, and Wood—14

NOES—Messrs Allen, Banbury, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Clark, Cook, Corcoran, Culver, Daley, Deveny, DeWitt, Dooling, Edwards, Franklin, French, Goucher, Gregory, Hazard, Henry, Hollister, Hunt, Hussey, Johnson, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Ward of Butte, Ward of San Francisco, Weaver, Woodward, Yule, and Mr. Speaker—55.

Mr. Jordan moved to strike out section three.

Mr. Weaver moved the previous question.

So ordered.

The question then being upon the motion of Mr. Jordan, it was lost.

The question then recurring on ordering the bill engrossed, and to be read third time, it was so ordered.

Assembly Bill No. 171—An Act to provide for the organization and control of water and irrigation districts

Read second time.

Mr. Corcoran moved to amend, as follows: strike out, in section two, line two, the words "State Engineer," and insert in lieu thereof the words "County Surveyor;" also, strike out, in line four, same section, the words "State Engineer," and insert in lieu thereof the words "County Surveyor."

Lost.

Mr. McJunkin moved to amend as follows: in section two, add after the word "shall," in line six, the following: "jointly with the several Boards of Supervisors of the other counties in which is situated any land within the boundaries of the proposed district, and;" also, strike out the words "State Engineer," in lines two and four, and insert "Surveyor General"

Lost.

Mr. McJunkin moved to amend as follows: amend section two, by striking out the words "county or counties in which it may be located," line fourteen, and insert in lieu thereof the words "said district."

Lost.

Mr. McJunkin moved to amend as follows: amend section three, by adding, after the word "district," in line six, the following: "and who owns land therein, and."

Mr. Coleman offered the following amendment to Mr. McJunkin's amendment, which was accepted by Mr. McJunkin: amend section three, by striking out, in lines five and six, the words "every qualified voter," and insert in lieu thereof the words "every owner of land;" also, strike out, in line six, "who would be entitled to vote if it were a general election."

Lost.

Mr. Reeves moved to amend as follows: in line three, section three, after the word "district," add, "and if no paper is published in said district, then a paper of general circulation in said district."

Lost.

MOTIONS.

Mr. Munday moved that the further consideration of Assembly Bill No. 171 be made a special order for Thursday, February 19, 1885, at seven o'clock and thirty minutes P. M., to be followed by Assembly Constitutional Amendment No. 3, and Assembly Bill No. 170.

So ordered.

Mr. Munday moved that Assembly Bill No. 171, with its amendments, be printed.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. Jones gave notice that he would move for a reconsideration of the vote whereby Assembly Bill No. 410 was ordered engrossed, and to be read third time.

ADJOURNMENT.

At nine o'clock and thirty-five minutes P. M., on motion of Mr. Munday, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 19, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

MOTION.

Mr. Britt moved that his reasons for asking the suspension of Rule Seven, yesterday, be inserted in the Journal.

Lost.

Mr. Edwards moved that Assembly Bill No. 428, with its amendments, be printed.

So ordered.

PETITION.

By Mr. Firebaugh: Petition from the Immigration Association of California—Relative to the publication of a monthly crop and stock report by the State Board of Agriculture.

Referred to Committee on Agriculture.

COMMUNICATION.

To the honorable the members of the Assembly of the State of California:

GENTLEMEN: At a joint meeting of the Executive Committees, representing the workmen in the five branches of the iron trade now on strike against a fifteen per cent reduction in wages, the undersigned committee were appointed, and instructed to forward a copy of the following preamble and resolutions, which were unanimously adopted at the meeting while in session:

WHEREAS, The members of the Senate and Assembly of the State of California, in session assembled, have given proof of their sympathy for us, in our efforts to secure a fair reward for our toil, and to check the inhuman greed and selfishness of those who claim to be our masters; therefore,

Resolved, That we hereby desire to return to them our warmest thanks, and pledge ourselves to hold their names in grateful remembrance.

Resolved, That a committee, consisting of one from each branch of trade now on strike, be appointed by the Chair, and that it be instructed to forward a copy of this preamble and resolutions to each branch of the Legislature, and ask that it be read in open session.

SAMUEL McKEE, Iron Moulders,
JAMES B JOHNSON, Pattern Makers,
C. McFARLAND, Machinists,
F. McDERMOTT, Blacksmiths,
J. J. RYAN, Boilermakers,
Committee.

Read and placed on file.

REPORTS OF STANDING COMMITTEES.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1885.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly petition for the partition of the County of San Bernardino, and the formation of a

new county within its boundaries—have had the same under consideration, and respectfully report the same back, and recommend that it be sent to the Committee on County and Township Governments.

J. M. WARD, Chairman.

Assembly petition ordered referred, as herein recommended.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1885.

MR SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 34—have had the same under consideration, and recommend that it do pass.

Also, Assembly Bill No. 158—and recommend that it do not pass

Also, Assembly Bill No. 173—and recommend that the author, by request, have leave to withdraw the same.

Also, Assembly Bill No. 462—and recommend that it do not pass.

DEWITT, Acting Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 506—An Act to amend section three hundred and seventy-nine of the Penal Code.

Also, Assembly Bill No. 514—An Act to add a new section to the Political Code, relating to the sale of opium.

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

FRENCH, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885.

MR. SPEAKER Your Committee on Claims, to whom was referred Assembly Bill No. 527—An Act to appropriate the sum of six hundred and fifty dollars for payment of the claim of C. C. Rachford, Sheriff of Modoc County.

Also, Assembly Bill No. 448—An Act to pay the claim of P. J. O'Connor, for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane

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

SWAYNE, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 336—An Act to limit and fix the rates and price of water in all cities within the State of California having a population of one hundred thousand inhabitants or more

Also, Assembly Bill No. 383—An Act to regulate the sale of shares of the capital stock of corporations, and to prevent gambling therein

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

JONES, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1885.

MR. SPEAKER Your Committee on Public Buildings and Grounds beg leave to report that they have visited the State Normal School building and grounds at San José, and are entitled to mileage as follows May, Kalben, Sullivan, Buhlert, Heywood, Ward, Van Voorhies, and Clerk Nichols, each from Sacramento to San José and return, two hundred and fifty-six miles.

DAVIS, Chairman.

Referred to Committee on Mileage.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885.

MR. SPEAKER Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 271—Entitled "An Act to suspend the operation and effect of section three thousand four hundred and seventy-seven of the Political Code, and to provide for the payment of Controller's warrants"—have had the same under consideration, and respectfully report the same back, without recommendation.

CULVER, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 511—An Act to amend section two thousand six hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Road Overseers and Road Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

LAUGHLIN, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on State Hospitals, on the occasion of their visit to Stockton—have had the same under consideration, and recommend that the following named members be allowed mileage for ninety-six miles: Messrs. Whitcomb, Deveny, Woodward, May, DeWitt, Pellet, and Clerk Marple.

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of sixty-seven dollars and twenty cents in favor of E. L. DeWitt, to cover above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 528—An Act to appropriate the sum of nine hundred and ninety-two thousand dollars to pay the indebtedness incurred and bonds issued under and pursuant to an Act entitled "An Act to authorize the widening of Dupont Street, in the City of San Francisco," approved March 23, 1876—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

LOUD, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1885.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 496—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. W. T. CARTER, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Porter: Assembly Bill No. 546—An Act to amend section five hundred and twenty-eight of the Political Code, relating to printing the Laws, Journals, and Appendices.

Referred to Committee on Public Printing.

By Mr. Jordan: Assembly Bill No. 547—An Act to prohibit the sale of intoxicating liquors within one mile of the University of California.

Referred to Committee on Public Morals.

By Mr. McDonald: Assembly Bill No. 548—An Act to provide for the weighing of hay, and to provide for a weigher.

Referred to Committee on Municipal Corporations.

By Mr. Buhlert: Assembly Bill No. 549—An Act to regulate the rate of charges upon telegraph lines, and to prevent extortion by owners of telegraph lines.

Referred to Committee on Corporations.

CALL OF THE HOUSE.

Mr. Heath moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt Dooling, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McHunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Heath moved that further proceedings under the call of the House be dispensed with.

So ordered.

SPECIAL FILE—THIRD READING OF BILLS.

Assembly Constitutional Amendment No. 15:

AN ACT

To amend sections one, eight, ten, and eleven, of article thirteen, of the Constitution.

The Legislature of the State of California, at its twenty-sixth session, commencing on the fifth day of January, A. D. 1885, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby proposes that sections one, eight, ten, and eleven, of article thirteen, of the Constitution of the State of California, be amended so as to read as follows

SECTION 1 All property in the State, except railroads, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law. The word property, as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership, *provided*, that growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or any county or municipal corporation within this State, shall be exempt from taxation, and, *provided further*, that railroads shall be taxed as provided in section ten of this article, and, *provided further*, that the Legislature may provide for the exemption from taxation of ships and vessels owned and registered or enrolled in this State, or may tax such ships and vessels on their gross or net earnings, in lieu of an ad valorem tax The Legislature may also provide, except in cases of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this State. Double taxation in any form is prohibited

SEC. 8 The Legislature shall, by law, require each taxpayer in this State, to make and deliver to the County Assessor, annually, a statement under oath, setting forth specifically all property, real and personal, except railroad property, as defined in section ten of this article, owned by such taxpayer, or in his possession, or under his control, at twelve o'clock meridian, on the first Monday in March.

SEC. 10 All property, except railroad property, shall be assessed in the county, city, city and county, town, township, or district, in which it is situated, in the manner provided by law Every corporation and person owning and operating a railroad, or any portion thereof, in this State, shall, on or before the first day of July of each year, pay to the State Treasurer an annual tax of two and a half per cent upon the gross earnings earned within this State of such railroad, for the year ending upon the thirty-first day of December next preceding; which tax shall be in lieu of all other State and county taxes upon the franchise, right of way, roadway, roadbed, rails, rolling stock, fences, roundhouses, stations, and their appurtenances, and upon ferry boats when operated as a part of such railroad, and upon the shares of the capital stock, and upon the mortgages, deeds of trust, contracts, or other obligation by which a debt is secured upon such property. All other property belonging to such corporation or person shall be assessed and taxed as other property is assessed and taxed. The gross annual earnings earned during the year ending on the thirty-first day of December last preceding, of all railroads, shall be, annually, before the first day of May thereafter, ascertained and declared by the State Board of Equalization. In all cases where railroads are situated partly within this State, and partly without this State, the gross annual earnings thereof shall be ascertained and determined by taking

First—The gross earnings which, during the year last preceding, have been earned wholly within this State.

Second—The gross earnings which, during the same year, have been earned partly within this State and partly without this State, which shall be ascertained by apportioning such earnings between this State and other States or Territories, in the proportion which the number of miles of such railroad situated in this State, and used in making such earnings, bears to the whole number of miles thereof, by the use of which such earnings have been made The proportion of interstate earnings thus ascertained shall be added to the earnings made wholly within the State, and the total thus obtained shall be taken and deemed to be the gross earnings of such railroads for all purposes of assessment and taxation. For every purpose of this

section, except for the purpose of ascertaining the proportion of interstate earnings to be added to the earnings made wholly within this State, all railroads operated as one system shall be treated as one road. One third of the tax paid by corporations or persons owning or operating railroads under the provisions of this section, shall become part of the General Fund of this State, and two thirds thereof shall be paid to the county or counties in which said railroad is situated, in proportion to the length of the railroad operated in the several counties. For the purposes of this section a consolidated city and county shall be treated as a county. Any corporation, association partnership, person or persons, unlawfully failing or refusing to pay the tax herein provided, when the same shall become due (or within thirty days thereafter), shall be deemed to have waived their right to operate their railroads within this State All railroads, so far as the same are situated within the boundaries of any common school district, shall be subject to an ad valorem tax for school purposes voted by the electors of the district, at a special election held for that purpose, the same as other property situated within the district, anything in this article to the contrary notwithstanding And all railroads, so far as they are situated within the boundaries of any incorporated city or town, shall be subject to an ad valorem tax for municipal purposes the same as other property situated therein, anything in this article to the contrary notwithstanding

SEC 11 Income taxes may be assessed and collected from persons, corporations, joint stock associations or companies, except the owners of railroads, resident or doing business in this State, or any one or more of them, in such cases and amounts and in such manner as shall be prescribed by law No Court within this State shall have power, by injunction or otherwise, to interfere with, hinder, or delay the collection of any tax laid under the form of law, except upon a showing that the same property has been taxed more than once for the same purpose in the same year, and then only upon payment to the Tax Collector, or into Court, of a sum equal to the amount of one of the taxes so laid upon the property in question; *provided*, that in all cases actions may be maintained against the Tax Collector to recover illegal taxes paid under protest. All such actions must be commenced within thirty days after such illegal taxes have been paid. It shall be the duty of the Courts in which such actions may be brought, to try them, upon the request of either party, in advance of all other civil actions, and such taxes so paid under protest shall be retained by the Tax Collector, or such other officer as the Legislature may designate, until such actions shall have been finally decided

Read third time.

The roll was called, and Assembly Constitutional Amendment No. 15 passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Ruse, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—67.

NOES—Messrs. Coleman, DeWitt, Dooling, Hazard, Henley, Henry, Johnson, Moffitt, Munday, and Watson of El Dorado—10.

Title approved.

Senate Bill No. 31—An Act to provide for compiling, illustrating, binding, copyrighting, and distributing a State series of school textbooks, and appropriating money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—61.

NOES—None.

Title approved.

FIRST READING OF BILLS.

Assembly Bill No. 206—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirty-first fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 207—An Act making an appropriation for the deficiency in the appropriation for water, irrigation, purchase of hose, etc , for Capitol grounds for thirty-second fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 227—An Act for an appropriation for the deficiency in the appropriation for traveling expenses of Railroad Commissioners for thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 229—An Act making an appropriation for the deficiency in the appropriation for pay of stenographer to Railroad Commissioners for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 230—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-third fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 231—An Act making an appropriation for the deficiency in the appropriation for education and care of deaf, dumb, and blind, for thirty-third fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 232—An Act making an appropriation for the deficiency in the appropriation for furnishing State Normal School, San José, for thirty-third fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 233—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in State Library for the thirty-third fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 234—An Act making an appropriation for the deficiency in the appropriation for rent, printing, and contingent expenses of Insurance Commissioner for the thirty-third fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 236—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at State Prison, San Quentin, for the thirty-third fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 292—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-sixth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 346—An Act making an appropriation for a deficiency in the appropriation for the salary of Secretary, and completion of State Engineer's report, and maps on irrigation, for the thirty-fourth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 167—An Act making an appropriation for the deficiency in the support of the State Prison at San Quentin for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 526—An Act to amend section three thousand

seven hundred and two of an Act entitled "An Act to establish a Political Code," relating to revenue.

Read first time, and ordered to second reading.

Assembly Bill No. 168—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at the State Prison at San Quentin for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 126—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in the office of the Adjutant-General for the thirty fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 128—An Act making an appropriation for the deficiency in the appropriation for traveling expenses for the Attorney-General for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 129—An Act making an appropriation for the deficiency in the appropriation for transportation of the insane for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 130—An Act making an appropriation for the deficiency in the appropriation for cleaning and transportation of arms, etc , for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 131—An Act making an appropriation for the deficiency in the appropriation for the support of the State Insane Asylum at Stockton for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 132—An Act making an appropriation for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the thirty-fifth fiscal year.

Read first time, and ordered to second reading

Assembly Bill No. 133—An Act making an appropriation for the deficiency in the appropriation for salary of Guardian of the Yosemite Valley for the thirty-fifth fiscal year

Read first time, and ordered to second reading.

Assembly Bill No. 135—An Act making an appropriation for the deficiency in the appropriation of postage and expressage in the Controller's office for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No 136—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 137—An Act making an appropriation for the deficiency in the appropriation for traveling expenses of the Attorney-General and Surveyor-General for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 138—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 139—An Act making an appropriation for the deficiency in the appropriation for arrests of criminals outside the limits of the State for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 140—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in the Surveyor-General's office for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 213—An Act making an appropriation to pay the deficiency in the appropriation for the fund for the costs and expenses of suits in which the State is a party in interest for the thirty-fifth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 345—An Act making an appropriation for a deficiency in the appropriation for the salary of Secretary of State Engineer for the thirty-fifth and thirty-sixth fiscal years.

Read first time, and ordered to second reading.

Assembly Bill No. 455—An Act making an appropriation for the deficiency in the appropriation for official advertisements for the thirty-sixth fiscal year.

Read first time, and ordered to second reading.

Assembly Bill No. 134—An Act making an appropriation for the deficiency in the appropriation for the traveling expenses of the State Board of Equalization for the thirty-fifth fiscal year.

Withdrawn by consent of the House

Assembly Bill No. 237—An Act making an appropriation for the deficiency in the appropriation for payment of costs in suits where the State is a party in interest, for the thirty-fifth fiscal year.

Withdrawn by consent of the House.

Assembly Bill No. 288—An Act making an appropriation for the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for the thirty-fourth fiscal year.

Withdrawn by consent of the House.

Assembly Bill No. 397—An Act making appropriation to pay deficiency in the appropriation of salary of Guardian of the Yosemite Valley for the thirty-fifth fiscal year

Withdrawn by consent of the House.

LEAVE OF ABSENCE.

Mr. Black was granted one day's leave of absence.

MOTION.

Mr. Weaver moved that the substitute to Assembly Bill No. 170 be printed.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885.

MR. SPEAKER. Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed: Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

DEVENY, Chairman.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.

APPOINTMENT.

The Speaker announced the appointment of T. Phillips as Porter, vice Richard Charles, his appointment to date from February 14, 1885.

MOTION.

Mr. Watson of Alameda moved that Assembly Bill No. 252 be taken up for consideration.
So ordered.

GENERAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 252—An Act to amend the Civil Code, by adding to part four, division one, a new title, providing for the incorporation of colleges and seminaries of learning.
Read second time, ordered engrossed, and to be read third time.

MOTION.

Mr. Edwards moved that Assembly Bill No. 489 be taken up for consideration.
So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 489—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties.
Read first time, and ordered to second reading.

MOTION.

Mr. Carter of Solano moved that Assembly Bill No. 169 be taken up for consideration.
So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 169—An Act to amend section six hundred and thirty-four of the Penal Code, relative to fish and game.
Read second time.
The Committee on Fish and Game offered to amend, by striking out section two.
So ordered.
Mr. Weaver moved to amend as follows: on page one, in lines

eight and nine, strike out the words "sunrise of each Saturday and sunset of the following Sunday," and insert "sunset Friday and sunrise Monday morning."

Lost.

Mr. Weaver moved to amend as follows: strike out, in lines twelve and thirteen, the words "seven and one half," and insert in lieu thereof the word "five."

Lost

MOTION.

Mr. Britt moved that Assembly Bill No. 295 be taken up for consideration.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, so as to permit the sale of State school lands not suitable for cultivation, without requiring actual settlement thereon by the purchasers.

Read first time, and ordered to second reading.

Mr. Britt moved that Assembly Bill No. 295 be made a special order for Saturday, February 21, 1885, at ten o'clock and thirty minutes A. M.

Lost.

MOTION.

Mr. Hussey moved that Assembly Bill No. 483 be taken up for consideration.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 483—An Act to amend an Act entitled "An Act to establish a Penal Code," by amending section one thousand and forty-six thereof, relating to forming juries in criminal causes.

Read first time, and ordered to second reading.

Mr Munday moved that Assembly Bill No. 483 be made a special order for Friday, February 20, 1885, at two o'clock and thirty minutes P. M.

So ordered.

MOTION

Mr. Cook moved that Assembly Bill No. 484 be taken up for consideration.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 484—An Act to amend section two thousand six hundred and eighty-seven of an Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two, in said Code, relative to roads and highways.

Read first time, and ordered to second reading.

MOTION.

Mr. Coleman moved that Assembly Bill No. 242 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 242—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the support of the government of the State.

Read first time, and ordered to second reading.

MOTIONS.

Mr. Corcoran called for the order of business.

Mr. Firebaugh moved a suspension of the rules.

Lost.

WITHDRAWAL OF BILLS.

By permission of the House, the following bills were withdrawn:

Assembly Bill No. 490—An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor.

Assembly Bill No. 238—An Act to appropriate money to pay the deficiency in the appropriation for the repair of the State Capitol, for the thirtieth fiscal year, the deficiency arising upon the claim of W. Laufkotter.

Assembly Bill No. 388—An Act to appropriate money to pay deficiency for water for irrigation on the State Capitol grounds for the thirty-second fiscal year.

SPECIAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 461—An Act to amend sections three thousand six hundred and sixty-four, three thousand six hundred and sixty-five, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue.

MOTION.

Mr. Jordan moved that the special order for three o'clock P. M. this day be postponed for an hour.

So ordered.

CALL OF THE HOUSE.

Mr. Munday moved a call of the House.

So ordered.

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

Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister Hunt Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr Speaker.

Quorum present.

Mr. Coleman moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then recurring on the first reading of Assembly Bill No 461, the roll call was demanded by Messrs. Munday, Coleman, and Mears

The bill was ordered read first time, by the following vote:

Ayes—Messrs Allen, Almy, Ashe, Banbury, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Corcoran, DeWitt, Dooling, Edwards, Ellison, Goucher, Gregory, Hazard, Heath, Henley, Johnson, Laughlin, Loud, McDonald, McLean, Moffitt, Morris, Munday, Pellet, Reeves, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Weaver, and Woodward—39.

Noes—Messrs. Barnes, Buhlert, Colby, Cook, Daley, Davis, Deveny, Douglas, Firebaugh, Franklin, French, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Long, Lovell, May, McGlashan, McJunkin, McMurray, Mears, Porter, Pyle, Roseberry, Sullivan, Watson of Alameda, Ward of San Francisco, Wood, Yule, and Mr. Speaker—35.

SPECIAL ORDER.

Special order for three o'clock P. M. this day, Assembly Bill No. 163—An Act to eradicate glanders and farcy, a disease among horses and other animals, and to empower the several County Boards of Supervisors of this State to create the office of County Veterinary Surgeon, and to provide for his compensation, and define his powers and duties—being next in order, was taken up.

Read second time.

The Committee on Agriculture offered to amend as follows: strike out, in title, after the word "glanders," the word "and," and insert in lieu thereof the word "button;" also, insert, after the word "farcy," the words "or nasal gleet."

So ordered.

Also, strike out, in section one, after the word "glanders," the word "or," and insert in lieu thereof the word "button;" also, insert, after the word "farcy," the words "or nasal gleet," also, strike out the words "seventy-five," and insert in lieu thereof the word "forty;" also, add to section one:

The Veterinary Surgeon shall serve, or cause to be served, three days prior to his visit upon the owner, or agent of the owner, of any horses, asses, mules, or sheep, reported as being diseased by glanders, nasal gleet, or button farcy, a notice stating that, on a certain day, the Surgeon will visit the premises of said owner, for the purpose of inspecting said horses, asses, mules, or sheep, and it shall be the duty of any person, upon the receipt of such notice, to inclose, or cause to be inclosed, in a suitable inclosure, all horses, asses, mules, or sheep, of which he may be the owner, or which may be in his possession, for the purpose of such inspection. Personal notice, or notice left at the residence of the owner or agent, shall be deemed to be sufficient notice; and upon a failure to comply therewith, on the part of the owner or agent, it shall be the duty of the Veterinary Surgeon to proceed as directed in this Act, and all expenses incurred by him in the discharge of his duty shall be a lien upon the property of the owner of said horses, asses, mules, or sheep.

So ordered.

SPECIAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 461—An Act to amend sections three thousand six hundred and sixty-four, three thousand six hundred and sixty-five, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue.

Read first time, and ordered to second reading.

MOTION.

Mr. Munday moved that Assembly Bill No. 458 be taken up for consideration.

So ordered.

GENERAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure.

Read first time, and ordered to second reading.

By request of the Speaker, Assembly Bill No. 458 was placed on the special file.

MOTION.

Mr. Moffitt moved that Senate Bill No. 73 be taken up for consideration.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 73—An Act to grant to Boards of Health, or Health Officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers.

Read first time; and ordered to second reading.

SPECIAL FILE—SECOND READING OF BILL.

Senate Bill No. 15—An Act to amend section one thousand eight hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read second time and ordered to be read third time.

MOTION.

Mr. Watson of El Dorado moved that Assembly Bill No. 471 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 471—An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers."

Read first time, and ordered to second reading.

SPECIAL FILE—SECOND READING OF BILLS.

Assembly Constitutional Amendment No. 7—Relative to Legislative Department.

Read second time, ordered engrossed, and to be read third time.

FIRST READING OF BILL.

Assembly Bill No 510—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Read first time, and ordered to second reading.

MOTION.

Mr. Jordan moved that Assembly Bill No. 35 be taken up for consideration.

So ordered.

GENERAL FILE—SECOND READING OF BILL

Assembly Bill No. 35—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations."

The Committee on Judiciary offered a substitute, which was read and adopted.

Bill ordered engrossed, and to be read third time.

MOTION.

Mr. Allen moved that Assembly Bill No. 275 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No 275—An Act to amend section nine hundred and twenty-eight of an Act entitled "An Act to establish a Political Code," approved April 16, 1880, relative to Grand Juries.

Read second time.

Mr. Banbury moved to amend as follows: strike out, in section one, line eight, the word "five," and insert in lieu thereof the word "ten."

Lost.

Bill ordered engrossed, and to be read third time.

MOTION.

Mr. McMurray moved that Assembly Bill No 478 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 478—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending

section one thousand one hundred and ninety, relating to the payment of election rewards.

Read first time, and ordered to second reading.

MOTION.

Mr. Walrath moved that Assembly Bill No. 312 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 312—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure, relative to the compensation of Court Reporters.

Read second time.

Mr. Firebaugh moved to strike out the enacting clause.

Lost.

Bill ordered engrossed, and to be read third time.

MOTION

Mr. May moved that the rules be suspended, and Assembly Bills Nos. 3, 4, and 205 be considered without going into Committee of the Whole.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 3—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 4—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 205—An Act making an appropriation for the deficiency in the appropriation for official advertising for the thirty-second fiscal year.

Read second time, ordered engrossed, and to be read third time.

SPECIAL FILE—FIRST READING OF BILL.

Assembly Bill No. 523—An Act to authorize the commitment of persons to House of Correction.

Read first time, and ordered to second reading.

RECESS.

At five o'clock P. M. the Speaker delared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M Speaker Parks in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON YOSEMITE VALLEY AND MARIPOSA GROVE OF BIG TREES AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885

MR SPEAKER Your Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry, to whom was referred Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grant—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

LONG, Chairman.

SPECIAL ORDERS.

The hour for the consideration of special orders for seven o'clock and thirty minutes P M. this day having arrived, Assembly Bill No. 171—An Act to provide for the organization and control of water and irrigation districts—was taken up for further consideration.

The Committee on Irrigation offered to amend as follows: strike out in section eleven, line twelve, the words "of the owners," and insert after the following word, "of," the words "a majority of the bona fide land owners of the district, who must represent."

Mr. Firebaugh offered the following substitute to the amendment: amend section eleven, by adding after the word "more," in line twelve, the following: "than one half the bona fide land owners in said district, and also more."

Lost.

The question then being on the adoption of the amendment offered by the committee, it was so ordered.

Mr. Jordan moved to amend as follows: strike out, in section eleven, line twelve, the word "value," and insert in lieu thereof the word "acres."

The roll call was demanded by Messrs. Jordan, Walrath, and McJunkin.

The amendment was lost by the following vote.

AYES—Messrs Allen, Barnett, Britt, Buhlert, Coleman, Douglas, Ellison, Firebaugh, Gregory, Heath, Henry, Heywood, Hollister, Jones, Jordan, Long, Lovell, McGlashan, Porter, Walrath, Watson of El Dorado, Ward of Butte, and Wood—23

NOES—Messrs. Almy, Ashe, Banbury, Carter of Contra Costa, Clark, Colby, Corcoran, Daley, Deveny, DeWitt, Dooling, Edwards, Franklin, French, Goucher, Hazard, Henley, Hunt, Hussey, Johnson, Kalben, Lafferty, Laughlin, May, McDonald, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of Alameda, Ward of San Francisco, Weaver, Woodward, Yule, and Mr. Speaker—47.

Mr. McJunkin moved to amend as follows: amend section eleven by adding after the word "Supervisors," in line one, the following: "of the respective counties in which is situated any of the land within the proposed district," and striking out the words "upon such hearing," in line one.

Lost.

Mr. Hazard moved to amend as follows: amend section eleven, line twenty-two, by inserting after the word "impracticable," the following words: "or that the owner may wish to have excluded, and obtains therefor the written consent of the owners of a majority in acreage of the balance of the district, or land not held in private ownership so as to be taxable as land held in fee simple at the date of formation of the district shall also be excluded."

So ordered.

Mr. Firebaugh moved to amend as follows: amend section eleven, by adding, after the word "heard," in line ten, the following: "but no change shall be made bringing in land to the district in any county other than those referred to in the original petition."

The roll call was demanded by Messrs. Ellison, Firebaugh, and Swayne

The amendment was lost by the following vote:

AYES—Messrs. Allen, Almy, Britt, Buhlert, Colby, Douglas, Ellison, Firebaugh, French, Henry, Heywood, Hollister, Jones, Jordan, Lafferty, Long, McJunkin, Pellet, Porter, Torrey, Watson of Alameda, Watson of El Dorado, Ward of Butte, and Woodward—24.

NOES—Messrs. Banbury, Barnett, Carter of Contra Costa, Clark, Coleman, Cook, Corcoran, Daley, Deveny, DeWitt, Dooling, Edwards, Gregory, Hazard, Heath, Hunt, Hussey, Johnson, Kalben, Laughlin, Lovell, May, McDonald, McGlashan, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Ward of San Francisco, Weaver, Wood, Yule, and Mr. Speaker—42.

Mr. Colby moved to amend as follows: strike out, in section eleven, line thirteen, the words "in value of the lands," and insert in lieu thereof the words "of small land owners."

Lost.

Mr. Firebaugh moved to amend as follows: "amend section eleven, by adding, after the word "district," in line twenty-eight, the following: "but no such change in boundaries shall bring into the district land situated in any county other than those referred to in the original petition."

Lost.

Mr. Jordan moved to amend as follows: insert, in section eleven, line twenty-eight, after the first word, "of," the words "two thirds of."

Lost.

Mr. Coleman moved to amend as follows: insert, in section twelve, line two, before the word "district," the word "irrigation."

So ordered.

The Committee on Irrigation offered to amend as follows: strike out, in section thirteen, subdivision eleven, line forty-four, the words "the owners of at least," and insert in lieu thereof the words "a majority of the bona fide land owners of the district, who must also represent more than;" also, strike out subdivision thirteen, same section, and change the numbers of the subdivisions following: fourteen to thirteen, fifteen to fourteen, and sixteen to fifteen.

So ordered.

Mr. Colby moved to amend as follows: insert, in section thirteen, line two, the following: "and the rights of eminent domain," after the word "corporation."

Lost.

Mr. McJunkin moved to amend as follows: strike out lines one, two, and three, in section thirteen.

Lost.

Mr. Britt moved to amend as follows: strike out, in section thirteen, line fifty-five, the words "in water."

Mr. Firebaugh offered the following substitute to the amendment: amend section thirteen, in paragraph twelve, by striking out all after the word "district," in line fifty-two.

Substitute and amendment lost.

Mr. Hazard moved to amend as follows: insert, in section thirteen,

line four, after the word "seal," the words "to sue and be sued in any Court."

So ordered.

Mr. Munday moved to amend as follows: amend section thirteen, by adding the following words, as subdivision sixteen: "no lands shall be taxed for the construction of works of irrigation, except lands actually to be irrigated by works of such system."

So ordered.

Mr. Hazard moved to amend as follows: insert, in section five, line four, after the word "seal," the words "to sue and be sued in any Court."

So ordered.

Mr. Firebaugh moved to amend as follows: amend section thirteen, by striking out, in paragraph eight, line twenty-four, all after the word "and."

Lost.

Mr. Munday moved the previous question.

Roll call demanded by Messrs. Colby, Firebaugh, and McJunkin.

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

AYES—Messrs Almy, Ashe, Banbury, Barnett, Buhlert, Carter of Contra Costa, Clark, Cook, Daley, Deveny, DeWitt, Dooling, Edwards, Firebaugh, Franklin, French, Hazard, Hunt, Hussey, Johnson, Jordan, Kalben, Laughlin, Lovell, May, McDonald, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Ward of San Francisco, Weaver, Yule, and Mr Speaker—44

NOES—Messrs. Allen, Barnes, Britt, Colby, Coleman, Corcoran, Douglas, Ellison, Gregory, Heath, Henley, Henry, Heywood, Hollister, Jones, Lafferty, Long, Loud, McGlashan, McJunkin, Porter, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, and Woodward—28.

Mr. Coleman raised the objection that the bill had been only partially read, and that the previous question would in consequence require a two-thirds vote to be ordered.

The question then being upon ordering the bill engrossed, and to be read third time, the roll call was demanded by Messrs. McJunkin, Porter, and Ellison.

The bill was ordered engrossed, and to be read third time by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Clark, Coleman, Cook, Corcoran, Daley, Deveny, DeWitt, Dooling, Edwards, Franklin, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hunt, Hussey, Johnson, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Ward of San Francisco, Weaver, Woodward, Yule, and Mr. Speaker—57.

NOES—Messrs. Colby, Ellison, Firebaugh, Jones, McJunkin, Porter, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, and Wood—11.

NOTICE OF RECONSIDERATION.

Mr. Jordan gave notice that he would move to reconsider the vote whereby Assembly Bill No. 171 was ordered engrossed and to be read third time.

MOTION.

At nine o'clock and fifteen minutes P. M., Mr. McJunkin moved that the House adjourn.

The roll call was demanded by Messrs. Wood, Walrath, and Colby.

The motion was lost by the following vote:

AYES—Messrs. Almy, Britt, Colby, Coleman, Davis, Douglas, Ellison, Firebaugh, Henley, Henry, Heywood, Hollister, Jones, Jordan, Lafferty, Laughlin, Long, McDonald, McJunkin, McMurray, Porter, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Woodward, Yule, and Mr. Speaker—30

NOES—Messrs Ashe, Banbury, Barnett, Bublert, Carter of Contra Costa, Clark, Cook Corcoran, Daley, Deveny, DeWitt, Dooling, Edwards, Franklin, French, Hazard, Hunt, Hussey, Johnson, Kalben, Loud, Lovell, May, McGlashan, McLean, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, and Weaver—38.

Mr. Munday moved that Assembly Bill No. 410 be taken up for consideration.

So ordered.

Mr. Munday moved that Assembly Bills Nos 170 and 171, and Assembly Constitutional Amendment No. 3, be made a special order for Friday, February 20, 1885, at seven o'clock and thirty minutes P. M., and that they take their place on the file in the above order.

So ordered.

MOTION TO ADJOURN.

At nine o'clock and twenty minutes P. M., Mr. McJunkin moved that the House adjourn.

Lost.

MOTION.

Mr. Munday moved that Assembly Bill No. 410 be made a special order for Friday, February 20, 1885, at seven o'clock and thirty minutes P. M., to precede Assembly Bills Nos. 170 and 171 and Assembly Constitutional Amendment No. 3.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bill No. 410—An Act to amend title eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections, numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irrigation purposes, and declaring such purposes a public use, and to come within title seven, of part three, of the Code of Civil Procedure of this State.

Also, Assembly Bill No. 252—An Act to amend the Civil Code, by adding to part four, division one, a new title, providing for the incorporation of colleges and seminaries of learning.

Also, Assembly Bill No 169—An Act to amend section six hundred and thirty-four of the Penal Code, relative to fish and game.

DEVENY, Chairman

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 20, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Daley, Davis, Deveny, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Mr. Laughlin was granted leave of absence for three days.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1885

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed.

Assembly Bill No 275—An Act to amend section nine hundred and twenty-eight of an Act entitled "An Act to establish a Political Code," approved April 16, 1880, relative to Grand Juries

Also, Assembly Bill No 312—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure, relative to the compensation of Court Reporters.

Also, Assembly Bill No 163—An Act to eradicate glanders and farcy, a disease among horses and other animals, and to empower the several County Boards of Supervisors of this State to create the office of County Veterinary Surgeon, and to provide for his compensation and define his powers and duties

Also, Assembly Bill No. 3—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 4—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 205—An Act making an appropriation for the deficiency in the appropriation for official advertising for the thirty-second fiscal year.

Also, Assembly Constitutional Amendment No. 7—Relative to Legislative Department.

Also, Substitute for Assembly Bill No 35—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations."

DEVENY, Chairman

ON SILK CULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1885.

MR. SPEAKER. Your Committee on Silk Culture, to whom was referred Assembly Bill No. 509—An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

G. W. WATSON, Chairman.

ON APPORTIONMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1885.

MR. SPEAKER: Your Committee on Apportionment, to whom was referred Assembly Bill No. 398—An Act to repeal an Act entitled "An Act to divide the State into Senatorial Districts, and provide for the election of Senators therein"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

WOODWARD, Chairman

ON ATTACHES AND EMPLOYES.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred Assembly Resolution—Relative to the extra per diem for the Mail Carrier—have had the same under consideration, and respectfully report the same back, and recommend its adoption.

HUSSEY, Chairman.

Mr. Pellet moved that Rule Eighty of the Standing Rules of the Assembly be suspended, for the purpose of considering the resolution.

So ordered.

The question then being upon the adoption of the resolution, it was so ordered.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1885.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 16—An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874, providing for a change and the establishment of the boundaries thereof, the same to include therein portions of the Counties of Fresno and Merced, and to provide for the payment of the portions of the debts of said counties equitably chargeable to San Benito County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

J. M. WARD, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 188—*An Act to provide for compiling, illustrating, electrotyping, and printing a State series of school* text-books—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Petition—Relative to increase of salary of School Superintendents of counties in the twentieth class.

Also, *Assembly Petition—Relative to increase of salary of School Superintendents of counties* in the twentieth class.

Have had the same under consideration, and respectfully report the same back, and recommend that they be not granted.

JORDAN, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as follows:

By Mr. Douglas: Assembly Bill No. 550—An Act to repeal section fifteen thousand six hundred and fourteen of the Penal Code, entitled "An Act to prohibit the collection of accounts for liquors sold at retail."

Referred to Committee on Crimes and Penalties.

Also, Assembly Bill No. 551—An Act to amend section sixty-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the asking or receiving of bribes.

Referred to Committee on Crimes and Penalties.

Also, Assembly Bill No. 552—An Act to amend section seventeen of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the definition of crimes.

Referred to Committee on Crimes and Penalties.

By Mr. Heywood: Assembly Bill No. 553—An Act to declare when a vacancy exists in any elective or appointive office, board, or commission, of any county, city, city and county, township, or municipality, and to provide for filling the same.

Referred to Committee on Municipalities.

By Mr. Deveny: Assembly Bill No. 554—An Act to amend section eight hundred and fifty-one of the Code of Civil Procedure, relating to pleadings in Justices' Courts.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 555—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be known as section eight hundred and sixty-one, relating to practices in Justices' Courts.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 556—An Act to amend section eight hundred and ninety-two of the Code of Civil Procedure, relating to the time of entering judgment in Justices' Courts.

Referred to Committee on Judiciary.

By Mr Goucher: Assembly Bill No. 557—An Act for the relief of George Prinz.

Referred to Committee on Claims.

MOTION.

On motion of Mr. Edwards, Assembly Bill No. 489 was ordered placed on the special file.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Jordan:

Resolved, That the Assistant Sergeant-at-Arms be and he is hereby authorized to receipt to the Controller for warrants for the pay of members, officers, and employés of the Assembly for the week ending February 21, 1885.

So ordered.

By Mr. Roseberry:

Resolved, That the Surveyor-General be and he is hereby directed to deliver to the House, this day, a *full list of all State land delinquencies now on record in his office.*

So ordered.

By Mr. McLean:

Resolved, That Rule Forty-two of the Standing Rules be amended, to read as follows: 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 the time of each member speaking shall be limited to fifteen minutes, 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.

Referred to Committee on Rules and Regulations.

MOTION.

Mr. Dooling moved to take up for consideration, Assembly Bill No. 16.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 16—An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874, providing for a change and the establishment of the boundaries thereof, the same to include therein portions of the Counties of Fresno and Merced, and to provide for the payment of the portions of the debts of said counties equitably chargeable to San Benito County.

Read second time.

Mr. Dooling moved to amend the title as follows:

An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874, providing for a change of boundary, and whatever is necessary thereto.

So ordered.

The Committee on Counties and County Boundaries offered the following amendment: amend by striking out section two, commencing at the word "mountains," and inserting the following:

To the point on the present boundary line where the township line between townships 18 and 19 south, of range 12 east, M. D. M., crosses the same, thence east along said line to the south corner of township 18 south, range 12 east; thence northerly in a direct line to the northeast corner of township 18 south, range 12 east, thence northwesterly in a direct line to the northeast corner of township 16 south, range 11 east: thence northwesterly in a direct line to the present boundary line between the Counties of Fresno and Merced, thence along said boundary line to the point where the same intersects the present eastern boundary line of San Benito County on the summit of the coast range of mountains, thence northerly, following the summit of mountains to the southern boundary line of Santa Clara County; thence westerly, following the southern boundary line of Santa Clara County, to the place of beginning.

SEC. 2. The County of San Benito shall pay to the County of Fresno the proportion of the indebtedness of said county, equitably chargeable against said County of San Benito, the amount thereof to be ascertained and determined by the Boards of Supervisors of said counties; and, in determining said amount, said Boards of Supervisors shall ascertain the amount of the indebtedness of the County of Fresno, and deduct therefrom the value of all county property and legal assets of said county, and the County of San Benito shall pay such proportion of the balance of such indebtedness, as the assessed value of the property in the territory transferred to said San Benito County bears to the value of the property remaining in said County of Fresno, according to the assessment roll of said county. And the amount determined by the said Boards of Supervisors, as justly payable by said County of San Benito to the County of Fresno, shall be paid as other indebtedness of said county is or shall be payable.

So ordered

Bill ordered engrossed, and to be read third time.

MOTION.

Mr. Hazard moved that Assembly Bill No. 472 be taken up for consideration.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 472—An Act to provide for the appointment, by the Supreme Court, of five Commissioners, to be known as Commissioners of the Supreme Court, to relieve said Court from the overburdened condition of its calendar, and to provide for the compensation of said Commissioners.

Read second time.

The Committee on Judiciary offered to amend as follows: strike

out, in section one, line two, the word "five," and insert in lieu thereof the word "three."

So ordered.

Also, strike out, in section one, line seven, the word "two," and insert in lieu thereof the word "four."

Lost.

Also, insert, in section one, line three, after the word "Court," the words "one shall be a resident of the northern part of the State, one of the southern part of the State, and three of the central part of the State."

Lost.

RECONSIDERATION.

Mr. Hazard moved to reconsider the vote whereby the amendment substituting the word "three" for "five," in section one, was adopted.

Lost.

Mr. Britt moved to reconsider the vote whereby the amendment substituting the word "four" for "two," in section one, was lost.

So ordered.

The question then being upon the adoption of the amendment, it was so ordered.

The Committee on Judiciary offered to further amend as follows: strike out section two, and insert in lieu thereof a new section two, to read as follows:

SEC. 2 Upon the appointment of said Commissioners, as in this Act provided, said Court is hereby authorized to appoint a Secretary for such Commission, who shall hold office during the pleasure of the Court, not to exceed the term of said Commission, and who shall have a salary of two hundred dollars per month, payable at the same time, and in the same manner, as said Commission

So ordered.

MOTION.

Mr. Firebaugh moved that the rules be suspended, and that Assembly Bill No. 472 be further considered without going into Committee of the Whole.

So ordered.

Mr. Jones moved to amend as follows: amend, by adding a new section, immediately after the last section, to be numbered section three, to read as follows:

SEC. 3. *The sum of forty thousand eight hundred dollars is hereby appropriated out of any* money that is or may be in the General Fund not otherwise appropriated, for the purpose of paying the salary of said Commission and Secretary for the thirty-sixth, thirty-seventh, and thirty-eighth fiscal years, and the Controller is authorized to draw monthly warrants upon the State Treasury in favor of said Commissioners and Secretary in the sum of five hundred dollars for each of said Commissioners, and in the sum of two hundred dollars for said Secretary.

So ordered.

Bill ordered engrossed, and to be read third time.

MOTION.

Mr. Watson of El Dorado moved to take up Assembly Bill No. 471.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 471—An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers."

Read second time, ordered engrossed, and to be read third time.

MOTION.

Mr. Weaver moved to take up Assembly substitute for Assembly Bill No. 72.

So ordered.

THIRD READING OF BILL.

Substitute for Assembly Bill No. 72—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending, and revising, and subdividing into new sections, section one hundred and sixty-three of said Act, and renumbering sections one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, and one hundred and eighty-four, of said Act, shall be hereafter respectively known and numbered as sections two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, two hundred and seventeen, two hundred and eighteen, two hundred and nineteen, two hundred and twenty, two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, two hundred and twenty-six, two hundred and twenty-seven, two hundred and twenty-eight, two hundred and twenty-nine, two hundred and thirty, and two hundred and thirty-one.

Read third time.

Mr. Coleman moved that the bill be referred to a select committee of one, with special instructions to amend, as follows: amend section one hundred and eighty-four, by striking out of line fifteen, "one thousand," and inserting therefor the words "fifteen hundred;" amend section one hundred and eighty-eight, by striking out of line four, "three thousand four hundred," and insert "two thousand;" strike out of line six, "four," and insert "three;" strike out of line seven the word "eighteen," and insert "fifteen;" strike out of line ten, word "six," and insert "four."

Amend as to counties of the thirtieth class, by substituting the following:

In counties of the thirtieth class, the county officers shall receive as compensation in full for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. The County Clerk, two thousand five hundred dollars per annum.

2. The Sheriff, four thousand dollars per annum, and his mileage as now allowed by law, and the fees allowed him by section one hundred and sixty-four of this Act.

3. The Recorder, one thousand five hundred dollars per annum.
4. The Auditor, one thousand dollars per annum.
5. The Treasurer, one thousand two hundred dollars per annum.
6. The Tax Collector, one thousand five hundred dollars per annum
7 The Assessor, three thousand five hundred dollars per annum; *provided*, however, the Assessor shall be entitled to receive and retain for his own use six per cent on personal property tax collected by him as authorized in section three thousand eight hundred and twenty of the Political Code, and fifteen per cent of all amounts collected by him for poll tax.
8 The District Attorney, one thousand five hundred dollars per annum, fifteen dollars for each conviction of felony, when the penalty is death; twenty-five dollars for every other conviction of felony, except as herein provided for, and fifteen dollars for each conviction of misdemeanor, and for services rendered in the collection of delinquent taxes, ten per centum on the amount recovered, to be added thereto if paid before judgment, if not so paid, then fifteen per centum to be added to and constitute a part of the judgment; *provided*, that in no case shall the State or county be liable for such fees or percentum, and traveling expenses incurred by virtue of his office to be allowed by the Board of Supervisors.
9 The Coroner, such fees as are now or may hereafter be allowed by law.
10 The Public Administrator, such fees as are now or may hereafter be allowed by law.
11. The Superintendent of Schools, six hundred dollars per annum and his necessary traveling expenses, to be allowed by the Board of Supervisors
12 The Surveyor, such fees as are now or hereafter may be allowed by law.
13 Justices of the Peace, such fees as are now or hereafter may be allowed by law.
14. Constables, such fees as are now or hereafter may be allowed by law, *provided*, that they shall be allowed mileage only one way.
15. Supervisors, three hundred dollars each per annum, and mileage one way at twenty cents per mile

In line seven, seventeenth class, strike out "one thousand dollars," and insert "twelve hundred."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Coleman a select committee to amend Assembly Substitute for Assembly Bill No. 72, as amended above.

The bill was ordered printed, with the amendments as made by the select committee.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1885.

MR. SPEAKER: Your select committee, to whom was referred Substitute for Assembly Bill No. 72, with special instructions to amend as ordered by the House—would respectfully report that the instructions of the House have been carried out.

J. V. COLEMAN.

RESOLUTION—(OUT OF ORDER).

By Mr. Coleman:

Resolved, That when this House adjourns to-day, it adjourns out of respect to the memory of the late John W. Satterwhite.

So ordered.

MOTION.

Mr. Weaver moved that the rules requiring the House to go into Committee of the Whole for the consideration of appropriation bills, be suspended during their consideration.

So ordered.

SPECIAL FILE—(THIRD READING OF BILLS).

Senate Bill No. 15—An Act to amend section one thousand eight hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1882.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Daley, Davis, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr Speaker—67.

NOES—None.

Title approved.

MOTION.

Mr. Yule moved to take up messages from the Senate.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1885.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, amended and passed Assembly Bill No 403—An Act to establish a branch State Normal School—and respectfully ask the Assembly to concur in said amendments.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CALL OF THE HOUSE.

Mr. Yule moved a call of the House.

So ordered.

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

Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Corcoran, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Yule moved that further proceedings under the call of the House be dispensed with.

So ordered

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1885.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed the following resolution.

Resolved, That the Secretary be directed to request the Assembly to return to the Senate Assembly Bill No. 403—An Act to establish a branch Normal School.

EDWIN F SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

Mr. Dooling moved that the request of the Senate be complied with.

So ordered.

The bill was returned as ordered.

SPECIAL FILE—SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure.

Read second time.

The Committee on Judiciary offered to amend as follows: strike out, in section one, line fourteen, all after the word "it;" also, all in lines fifteen and sixteen.

So ordered.

Also, strike out all of section two.

So ordered.

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 206—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirty-first fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 207—An Act making an appropriation for the deficiency in the appropriation for water, irrigation, purchase of hose, etc., for Capitol grounds for thirty-second fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 526—An Act to amend section three thousand seven hundred and two of an Act entitled "An Act to establish a Political Code," relating to revenue.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 227—An Act for an appropriation for the deficiency in the appropriation for traveling expenses of Railroad Commissioners for the thirty-fourth fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 231—An Act making an appropriation for the deficiency in the appropriation for the education and care of the deaf, dumb, and blind, for the thirty-third fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 229—An Act making an appropriation for the deficiency in the appropriation for pay of stenographer to Railroad Commissioners for the thirty-fourth fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 230—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-third fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 232—An Act making an appropriation for the deficiency in the appropriation for furnishing State Normal School, San José, for thirty-third fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 233—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in State Library for the thirty-third fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 234—An Act making an appropriation for the deficiency in the appropriation for rent, printing, and contingent expenses of Insurance Commissioner for the thirty-third fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 236—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at State Prison, San Quentin, for the thirty-third fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fifth fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 292—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-sixth fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 346—An Act making appropriation for a deficiency in the appropriation for the salary of Secretary, and completion of State Engineer's report, and maps on irrigation, for the thirty-fourth fiscal year.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No 167—An Act making appropriation for the deficiency in the support of the State Prison at San Quentin for the thirty-fifth fiscal year.

Read second time.

The Committee on Ways and Means offered to amend the title as follows: strike out "thirty-fifth," and insert "thirty-sixth."

So ordered

Also, in section one, in last line, after words "for the," strike out "thirty-fifth," and insert "thirty-sixth."

So ordered.

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 168—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at the State Prison at San Quentin for the thirty-fifth fiscal year.

Read second time.

The Committee on Ways and Means offered to amend as follows: strike out, in title, the words "thirty-fifth," and insert in lieu thereof the words "thirty-sixth."

So ordered.

Also, strike out, in section one, the words "thirty-fifth," and insert in lieu thereof the words "thirty-sixth."

So ordered.

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 126—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in office of the Adjutant-General for the thirty-fifth fiscal year.

Pending action, the hour for recess arrived.

RECESS.

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

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

COMMUNICATION.

The following communication from the Surveyor-General was read by the Chief Clerk, and ordered on file:

STATE OF CALIFORNIA, OFFICE OF SURVEYOR-GENERAL,
SACRAMENTO, February 20, 1885.

To the honorable the Legislature of the State of California:

I have the honor to acknowledge the receipt of the resolution of your honorable body directing me to deliver to the House this day a full list of all State land delinquencies now on record in this office.

Replying thereto, permit me to state that it will require the entire time of the force employed in the State Land Office for one month to enable me to comply with your request. As required by section three thousand five hundred and forty-six of the Political Code, a delinquent list will be issued on May 1, 1885; but as suits in foreclosure resultant from the issuance of such list are nearly always subversive of the interests of the State, permit me to suggest, as did my predecessors (see Surveyor-General's Report, 1879 and 1880), that said section three thousand five hundred and forty-six be amended to provide that such list be issued only once in four years. I have the honor to be, very respectfully, your obedient servant.

H. I. WILLEY.

SPECIAL ORDER.

The hour for the consideration of Assembly Concurrent Resolution No. 8—Relative to the forfeiture of unearned land grants—the special order for two o'clock P. M., having arrived, it was taken up.

Read second time.

Mr. Yule moved to amend as follows: strike out all after the word "bill," and add the following thereto:

Extending the time two years from the passage of the same, for the completion of the California and Oregon Railroad to the boundary line between California and Oregon, and to make connection with the Oregon and California Railroad, so as to form a through continuous line to Portland, Oregon. And providing that if at the expiration of said term of two years any part of either of said railroads shall not be completed, then all lands unearned by either of said roads, and lying opposite such uncompleted portions, shall be forfeited, and shall revert to the United States without further legislation by Congress.

MOTIONS.

At two o'clock and thirty minutes P. M., on motion of Mr. Corcoran, the special order for that hour—Assembly Bill No. 483—was postponed until 3 o'clock P. M., and made a special order for that hour.

At three o'clock P. M., on motion of Mr. Coleman, the special order for that hour—Assembly Bill No. 483—was postponed for consideration until after the conclusion of the consideration of the special order being considered.

Mr. Henry moved the previous question.

Lost on division—ayes, 20; noes, 36.

The question being on the adoption of the amendment of Mr. Yule, the roll call was demanded by Messrs. Jordan, Munday, and Jones.

CALL OF THE HOUSE.

On motion of Mr. Jordan, a call of the House was ordered.

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

Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Woodward, Yule, and Mr. Speaker.

Quorum present.

The Sergeant-at-Arms was instructed to bring in the absentees.

On motion of Mr. May, further proceedings under the call of the House were dispensed with.

The roll was called on the amendment of Mr. Yule, and it was adopted by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Solano, Cook, Daley, Davis, Deveny, Douglas, Firebaugh, Franklin, French, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Long, Lovell, May, McGlashan, McJunkin, McMurray, Mears, Patterson, Pellet, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Wood, Yule, and Mr. Speaker—44.

NOES—Messrs. Ashe, Barnett, Britt, Carter of Contra Costa, Clark, Coleman, Corcoran, DeWitt, Dooling, Ellison, Goucher, Gregory, Hazard, Heath, Henley, Henry, Johnson, Loud, McDonald, McLean, Moffitt, Munday, Reeves, Watson of El Dorado, Ward of Butte, Weaver, and Woodward—27.

The question being on the adoption of the resolution as amended, the roll call was demanded by Messrs. Munday, Barnett, and Heywood.

The resolution was adopted, as amended, by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Solano, Colby, Cook, Daley, Davis, Deveny, Douglas, Firebaugh, Franklin, French, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Long, Lovell, May, McGlashan, McJunkin, McMurray, Mears, Patterson, Pellet, Pyle, Roseberry, Russ, Sullivan, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Whitcomb, Yule, and Mr. Speaker—44.

NOES—Messrs. Ashe, Barnett, Britt, Carter of Contra Costa, Clark, Coleman, Corcoran, DeWitt, Dooling, Ellison, Goucher, Gregory, Hazard, Heath, Henley, Henry, Johnson, Loud, McDonald, McLean, Moffitt, Munday, Reeves, Swayne, Watson of El Dorado, Ward of Butte, Weaver, and Woodward—28.

SPECIAL ORDER.

The special order for two o'clock P. M.:

Assembly Bill No. 483—An Act to amend an Act entitled "An Act to establish a Penal Code," by amending section one thousand and forty-six thereof, relating to forming juries in criminal causes—was taken up.

Read second time, ordered engrossed, and to be read third time.

INTRODUCTION OF A BILL—(OUT OF ORDER).

The following bill was introduced and referred as follows:

By Mr. Watson of El Dorado: Assembly Bill No. 558—An Act regulating the labeling of vessels containing fermented liquors.

Referred to Committee on Public Morals.

RECESS.

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

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M. Speaker Parks in the chair.

MOTION.

Mr. May moved that Assembly Bill No. 37 be taken up for consideration.

So ordered.

GENERAL FILE—THIRD READING OF BILL.

Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Banbury, Barnett, Buhlert, Carter of Contra Costa, Clark, Coleman, Cook, Corcoran, Daley, Davis, Deveny, Dooling, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Woodward, Yule, and Mr. Speaker—55.

NOES—Messrs. Colby, Roseberry, and Wood—3.

Title approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced and referred as follows:

By Mr. Firebaugh: Assembly Bill No. 559—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

Also, Assembly Bill No. 560—An Act to amend section one thousand four hundred and twenty-two of the Civil Code, relating to riparian rights.

Referred to Committee on Judiciary.

SPECIAL ORDER.

The special order for seven o'clock and thirty minutes P. M.:

Assembly Bill No. 410—An Act to amend title eight, of part four, of the Act to establish a Civil Code, approved March 21, 1872, by repealing section one thousand four hundred and twenty-two thereof, and by adding thereto new sections, numbered one thousand four hundred and twenty-two, one thousand four hundred and twenty-three, one thousand four hundred and twenty-four, and one thousand four hundred and twenty-five, for the appropriation of water for irrigation purposes, and declaring such purposes a public use, and to come within title seven, of part three, of the Code of Civil Procedure of this State—being the next in order, was taken up.

Mr. Firebaugh moved to refer the bill to the Committee on Judiciary, to inquire into its constitutionality, and to report within twenty-four hours.

Lost.

Mr. McGlashan moved to refer the bill to a select committee of one, with instructions to amend the bill as follows: amend section two, by inserting, after the word "irrigation," the words "mining, manufacturing, and other useful purposes."

The Speaker decided the amendment out of order.

Mr. McGlashan appealed from the decision of the Speaker.

The Speaker then stated that the question was, "Shall the decision of the Speaker be sustained?"

The roll call was demanded by Messrs. Colby, McJunkin, and Russ.

The Speaker was sustained by the following vote:

AYES—Messrs. Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Clark, Daley, Davis, Deveny, Ellison, Franklin, French, Goucher, Hazard, Heywood, Hollister, Hunt, Hussey, Jones, Kalben, Lafferty, Lovell, May, McDonald, McMurray, Mears, Moffitt, Munday, Patterson, Porter, Pyle, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, and Yule—42

NOES—Messrs. Allen, Colby, Coleman, Cook, Corcoran, DeWitt, Dooling, Firebaugh, Gregory, Heath, Henley, Henry, Johnson, Jordan, Long, Loud, McJunkin, Pellet, Reeves, Roseberry, Wood, and Woodward—22.

Mr. McJunkin moved that further consideration of Assembly Bill No. 410 be postponed, and that it be made a special order for Tuesday, February 24, 1885, at seven o'clock and thirty minutes P. M.

Lost.

Bill read third time.

Mr. Goucher presented a petition from the residents of the County of Merced against the passage of Assembly Bills Nos. 410 and 171.

Placed on file.

Also, one from residents of Fresno County, praying for the right of appropriation of water for irrigation.

Placed on file.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Clark, Cook, Corcoran, Daley, Deveny, DeWitt, Dooling, Franklin, French, Goucher, Gregory, Hazard, Henley, Hunt, Hussey, Johnson, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of El Dorado, Ward of San Francisco, Weaver, Woodward, Yule, and Mr. Speaker—51.

NOES—Messrs. Allen, Colby, Coleman, Davis, Ellison, Firebaugh, Heath, Henry, Heywood, Hollister, Jones, McJunkin, Walrath, Watson of Alameda, Ward of Butte, and Wood—16.

Title approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Substitute for Assembly Bill No 72.

Assembly Bill No 471—An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers."

Assembly Bill No. 16—An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874, providing for a change of boundaries and whatever is necessary thereto.

Assembly Bill No. 472—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, to relieve said Court from the overburdened condition of its calendar, and to provide for the compensation of said Commissioners

Assembly Bill No. 526—An Act to amend section three thousand seven hundred and two of an Act entitled "An Act to establish a Political Code," relating to revenue.

Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure.

Assembly Bill No 206—An Act making an appropriation for the deficiency in the appropriation for repairs to the State Capitol building and furniture for the thirty-first fiscal year.

Assembly Bill No. 207—An Act making an appropriation for the deficiency in the appropriation for water, irrigation, purchase of hose, etc., for the Capitol grounds for the thirty-second fiscal year.

Assembly Bill No. 227—An Act for an appropriation for the deficiency in the appropriation for traveling expenses of Railroad Commissioners for the thirty-fourth fiscal year.

Assembly Bill No. 230—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-third fiscal year.

Assembly Bill No. 231—An Act making an appropriation for the deficiency in the appropriation for the education and care of the deaf, dumb, and blind, for the thirty-third fiscal year.

Assembly Bill No. 232—An Act making an appropriation for the deficiency in the appropriation for furnishing State Normal School at San José for the thirty-third fiscal year.

Assembly Bill No. 233—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in State Library for the thirty-third fiscal year.

Assembly Bill No. 234—An Act making an appropriation for the deficiency in the appropriation for rent, printing, and contingent expenses of Insurance Commissioner for the thirty-third fiscal year.

Assembly Bill No. 236—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at the State Prison at San Quentin for the thirty-third fiscal year.

Assembly Bill No. 167—An Act making an appropriation for the deficiency in the support of the State Prison at San Quentin for the thirty-fifth fiscal year.

Assembly Bill No. 168—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at the State Prison at San Quentin for the thirty-fifth fiscal year.

Assembly Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fifth fiscal year.

Assembly Bill No. 292—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-sixth fiscal year.

Assembly Bill No. 346—An Act making an appropriation for a deficiency in the appropriation for the salary of Secretary, and completion of State Engineer's report, and maps on irrigation for the thirty-fourth fiscal year.

Assembly Concurrent Resolution No. 8—Relative to the forfeiture of unearned land grants.

Assembly Bill No. 483—An Act to amend an Act entitled "An Act to establish a Penal Code," by amending section one thousand and forty-six thereof, relating to forming juries in criminal causes.

Assembly Bill No. 229—An Act making an appropriation for the deficiency in the appropriation for pay of stenographer to Railroad Commissioners for the thirty-fourth fiscal year.

DEVENY, Chairman.

WITHDRAWAL OF NOTICE TO RECONSIDER.

Mr. Jordan asked permission to withdraw his notice of reconsideration of Assembly Bill No. 171.

Objection being made, the House granted the permission by vote.

MOTIONS.

At nine o'clock and ten minutes P. M., Mr. McJunkin moved to adjourn.

Lost.

Mr. Munday moved to make Assembly Bill No. 171 a special order for Saturday, February 21, 1885, at eleven o'clock and thirty minutes A. M.

So ordered.

At nine o'clock and fifteen minutes P. M., Mr. Roseberry moved to adjourn.

Lost on a division—ayes, 27; noes, 29.

SPECIAL ORDERS.

The next special order being Assembly Constitutional Amendment No. 3—Proposed amendment to article fourteen of the Constitution, relative to the sale, rental, and distribution of water—was taken up, read first time, and ordered to second reading.

Also, Assembly Bill No. 170—An Act to provide for the discovery and adjudication of the origin, extent, and nature of all appropriations, diversions, and utilization of water for agricultural purposes and other beneficial uses made in the State under the statutory laws thereto, or under the laws of the United States, or in pursuance of local custom or usage; and of all claims of right based upon appropriations, diversions, and utilizations, laws, or customs; to provide

for the recording thereof according to an approved and generally uniform system, and to provide for the annual correction or renewal of the record to correspond to the facts of the year in each case—was taken up, read first time, and ordered to second reading.

MOTION.

Mr. Munday moved that Assembly Constitutional Amendment No. 3, and Assembly Bill No. 170, be made special orders for Saturday, February 21, 1885, at eleven o'clock and thirty minutes A. M.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. McGlashan gave notice of a motion to reconsider the vote whereby Assembly Bill No. 410 passed.

ADJOURNMENT.

At nine o'clock and thirty minutes P. M., on motion of Mr. Munday, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 21, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Firebaugh, Franklin, French, Goucher, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Messrs. Black, Douglas, Russ, and Edwards were granted one day's leave of absence.

PROTEST.

Mr. McGlashan entered the following protest, to wit:

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR. SPEAKER: I hereby respectfully protest against the action of the House in sustaining the ruling of the Chair during the session of last evening, wherein the Speaker decided that a motion to refer Assembly Bill No. 410 to a committee of one, with instructions to insert, after the word "irrigation," in line five, of section two, the words "mining, manufacturing, and other useful purposes," was not in order, for the reason that the same matter had been decided on second reading on the motion of Mr. Walrath to insert the words "and mining," after "irrigation," in line five of section two, and on Mr. Walrath's substitute for section five. The alterations proposed in section two, line five, are so different in form and substance as to require no comment, and Mr Walrath's substitute read: "All existing rights of appropriations for mining, milling, and manufacturing purposes are hereby confirmed." The propositions are essentially different in form, substance, and intent. The words are not the same: the place and sections where they are inserted are different; "milling" is not synonymous with "other useful purposes," and, finally, Mr. Walrath's substitute sought to confirm existing appropriations for certain purposes, while the amendment sought to declare the common law relative to riparian rights repugnant to and inconsistent with certain other purposes, and to declare the use of water for those other purposes a public use

C. F. McGLASHAN.

REPORTS OF STANDING COMMITTEES.

ON APPORTIONMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1885.

MR. SPEAKER: Your Committee on Apportionment, to whom was referred Assembly Bill No. 353—An Act to authorize and empower the Board of Supervisors of the various counties, cities and counties, of the State, to regulate Supervisor electoral districts—have had the same under consideration, and report back a substitute, and recommend that said substitute be re-referred to the San Francisco delegation.

WOODWARD, Chairman.

Referred as herein recommended.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1885.

MR SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on Public Buildings and Grounds, on the occasion of their visit to San José—have had the same under consideration, and recommend that the following named members be entitled to mileage for two hundred and fifty-six miles: Messrs May, Kalben, Sullivan, Buhlert, Ward, Heywood, Van Voorhies, and Clerk Nichols.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of two hundred and four dollars and eighty cents, in favor of W. J. Davis, for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 531—An Act to amend the Penal Code, for the purpose of prohibiting slogging matches and other similar exhibitions—have had the same under consideration, and report the same back, and recommend that it do not pass, for the reason that the greater part is covered by the "Gregory Bill."

Also, Assembly Bill No. 479—An Act to foster the introduction and growth of legitimate amusements—have had the same under consideration, and recommend that it do not pass.

Also, Assembly Bill No. 485—An Act to authorize incorporated cities and towns to license and regulate the sale of alcoholic and fermented liquors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

R. C. CARTER, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR. SPEAKER. Your Committee on Claims, to whom was referred Assembly Bill No. 529—Entitled "An Act to appropriate money to pay the claim of W F. Boardman, Grant I. Taggart, and Charles T. H. Palmer, assignee of Sherman Day, for services as Commissioners in the action of The People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeifer et al., in the Third District Court for Alameda County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SWAYNE, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 20—An Act to require the payment of certain premiums to the fire departments of incorporated cities, cities and counties, and towns, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LOUD, Chairman.

INTRODUCTION OF A BILL.

The following bill was introduced and referred as follows:

By Mr. Carter of Contra Costa: Assembly Bill No. 561—An Act to repeal an Act to establish a Board of Silk Culture, and to provide moneys for the expenses thereof, approved March 15, 1883.

Referred to Committee on Silk Culture.

SPECIAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 526—An Act to amend section three thousand seven hundred and two of an Act entitled "An Act to establish a Political Code," relating to revenue.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Ellison, Firebaugh, Goucher, Hazard, Heath, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Moffitt, Morris, Pellet, Pyle, Reeves, Roseberry, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Yule, and Mr. Speaker—57.

NOES—Mr. Woodward—1.

Title approved.

Assembly Bill No. 471—An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Deveny, DeWitt, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—60.

NOES—None.

Title approved.

Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, DeWitt, Ellison, Firebaugh, French, Goucher, Hazard, Heath, Heywood, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Sullivan, Swayne, Torrey, Van Voorhies, Wal-

rath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Woodward, Yule, and Mr. Speaker—58.
NOES—Mr. Roseberry—1.

Title approved.

Assembly Bill No. 483—An Act to amend an Act entitled "An Act to establish a Penal Code," by amending section one thousand and forty-six thereof, relating to forming juries in criminal causes.

Read third time.

Mr. May moved that the bill be referred to a select committee of one, with special instructions to amend, as follows: amend, by adding the words "liable to duty" after the word "county."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. May a select committee, to amend Assembly Bill No. 483.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR. SPEAKER: Your select committee to whom was referred Assembly Bill No. 483, with instructions to amend in accordance with the action of the House—would respectfully report that the instructions of the House have been carried out.

W. B MAY.

The bill was ordered printed, as amended.

GENERAL FILE—THIRD READING OF BILL.

Assembly Bill No. 156—An Act to appropriate thirty-four thousand four hundred and nineteen dollars and forty cents.

Read third time.

Mr. Loud moved that the bill be referred to a select committee of one, with special instructions to amend as follows: amend, by striking out of section two, in printed bill, all after the word "cents," in line five, down to the word "and," in line nine; also, amend title, by striking out the words "with legal interest thereon."

So ordered.

APPOINTMEMT OF SELECT COMMITTEE.

The Speaker apointed Mr. Loud a select committee, to amend Assembly Bill No. 156.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR SPEAKER: Your select committee, to whom was referred Assembly Bill No. 156, with instructions to amend in accordance with the action of the House—would respectfully report that the instructions of the House have been carried out.

E. F. LOUD.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Firebaugh, French, Goucher, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Roseberry, Sullivan,

Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—66.
NOES—None.

Title approved.

Assembly Bill No. 35—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, DeWitt, Dooling, Ellison, Firebaugh, French, Goucher, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Roseberry, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Weaver, Wood, Woodward, Yule, and Mr. Speaker—61.
NOES—None.

Title approved.

MOTION.

Mr. French moved to take up Assembly Bill No. 478.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 478—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section one thousand one hundred and ninety, relating to the payment of election rewards.

Read second time, ordered engrossed, and to be read third time.

RECONSIDERATION.

Mr. McGlashan moved to reconsider the vote whereby Assembly Bill No. 410 was passed.

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

So ordered.

SPECIAL FILE—(RESUMED)—THIRD READING OF BILLS.

Assembly Bill No. 3—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Long, Loud, Lovell, May, McDonald, McGlashan, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Weaver, Wood, Woodward, Yule, and Mr. Speaker—56.
NOES—None.

Title approved.

Assembly Bill No. 4—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Davis, Deveny, Ellison, French, Goucher, Gregory, Hazard, Heath, Henley, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Long, Loud, Lovell, May, McDonald, McGlashan, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Watson of El Dorado, Woodward, Yule, and Mr. Speaker—52.

NOES—None.

Title approved.

MOTION.

Mr. Coleman moved to take up Senate Bill No. 20 for consideration.

So ordered.

Mr. Jordan moved to re-refer the bill to the Committee on Judiciary.

Lost.

FIRST READING OF BILL.

Senate Bill No. 20—An Act to require the payment of certain premiums to the fire departments of incorporated cities, cities and counties, and towns, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums.

Read first time.

Mr. Coleman moved to make Senate Bill No. 20 a special order for Tuesday, February 24, 1885, at two o'clock P. M.

So ordered.

MOTION.

Mr. Goucher moved to take up Senate Bill No. 164 for consideration.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grove.

Read first time, and ordered to second reading.

SPECIAL ORDERS.

Eleven o'clock and thirty minutes A. M.:

On motion of Mr. Munday, Assembly Bill No. 171 was passed for one half hour, and Assembly Constitutional Amendment No. 3 was taken up for consideration.

Assembly Constitutional Amendment No. 3—Proposed amendment to article fourteen of the Constitution, relative to the sale, rental, and distribution of water.

Read second time.

Mr. Wood moved to amend section one as follows: insert, in line five, after the word "irrigation," the words, "and mining."

Lost.

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 170—An Act to provide for the discovery and

adjudication of the origin, extent, and nature of all appropriations, diversions, and utilization of water for agricultural purposes and other beneficial uses made in the State under the statutory laws thereof, or under the laws of the United States, or in pursuance of local custom or usage; and of all claims of right based upon appropriations, diversions, and utilizations, laws, or customs; to provide for the recording thereof according to an approved and generally uniform system, and to provide for the annual correction or renewal of the record to correspond to the facts of the year in each case.

Read second time.

Mr. Hazard moved to amend as follows: amend section one, by striking out of line four the words "within one year after the passage of this Act;" add, at the end of said section, "and the record herein provided for must be so made in any county within one year after the Board of Supervisors of such county shall have duly passed an ordinance requiring such record to be made. Such ordinance to take effect when published, in the same manner as other ordinances of the Board of Supervisors."

So ordered.

Ordered engrossed, and to be read third time.

MOTION.

Mr. Ward of San Francisco moved to take up Assembly Bill No. 336 for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 336—An Act to limit and fix the rates and price of water in all cities within the State of California having a population of one hundred thousand inhabitants or more.

Read first time, and ordered to second reading.

MOTION.

Mr. Davis moved to take up Senate Bill No. 114 for consideration.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 114—An Act to provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor.

Read second time, ordered engrossed, and to be read third time.

On motion of Mr. Davis, the bill was ordered placed on the special file.

REPORTS OF STANDING COMMITTEES.

ON WATER RIGHTS AND DRAINAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR. SPEAKER: Your Committee on Water Rights and Drainage, to whom was referred Assembly Bill No. 544—An Act establishing a Commission, to examine and report upon water rights and irrigation in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BARNES, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed·

Assembly Bill No. 171—An Act to provide for the organization and control of water and irrigation districts.

Also, Assembly Bill No. 156—An Act to appropriate thirty-four thousand four hundred and nineteen dollars and forty cents.

COOK, Acting Chairman.

MOTION.

Mr. Britt moved to take up Assembly Bill No. 295 for consideration.
So ordered.

SECOND READING OF BILL.

Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, so as to permit the sale of State school lands not suitable for cultivation without requiring actual settlement thereon by the purchasers.

Read second time.

The Committee on Public Lands offered the following amendments, to wit:

Amend section two, by striking out from said section, commencing with the word "any," on line three of the printed bill, down to and including the word "mentioned," on line twenty of said printed bill.

So ordered.

Also, amend section two, on line twenty-one of printed bill, by striking out the words "in this section."

So ordered.

Also, amend the bill, by adding to section two the following words: "timber lands belonging to this State shall be sold for cash only, and the Surveyor-General and Register of the State Land Office must make and enforce all necessary rules and regulations to prevent the sale of, or issuance of any evidence of title to, any timber lands of the State, except on payment of cash of the full price fixed therefor by law."

So ordered.

Also, amend section one, line four, of the printed bill, by striking out the words "a sixteenth or thirty-sixth section of," and inserting in lieu thereof the words "any of the lands mentioned in section three thousand four hundred and ninety-four, situated in."

So ordered.

Also, amend section one, lines eighteen and nineteen of printed bill, by striking out the words "sixteenth or thirty-sixth section," and inserting in lieu thereof the words "lands mentioned in section three thousand four hundred and ninety-four."

So ordered.

Also, amend section one, line twenty-two, printed bill, by striking out the words "any sixteenth or thirty-sixth section," and inserting in lieu thereof the words "such lands."

So ordered.

Bill ordered engrossed, and to third reading.

MOTION.

Mr. Porter moved to take up Assembly Bill No. 488 for consideration.
So ordered.

FIRST READING OF BILL.

Assembly Bill No. 488—An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern.

Read first time, and ordered to second reading.

SPECIAL ORDER.

Twelve o'clock M., the hour for the consideration of Assembly Bill No. 171, having arrived, it was taken up.

Assembly Bill No. 171—An Act to provide for the organization and control of water and irrigation districts.

Read third time.

Mr. Jordan moved that the bill be referred to a select committee of one, with special instructions to amend as follows: in line one, section one, strike out the words "inserted in," and insert the words "desiring to appropriate, or appropriating;" also, in line forty-three, subdivision eleven, section thirteen, strike out the words "a majority," and insert the words "two thirds, who shall be residents of, and land owners in said water district;" insert above, in line five, section three, after the word "district," "who shall be residents of, and land owners in, said irrigating district;" insert the above in line four, section fourteen, after the word "Trustees."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Munday a select committee, to amend Assembly Bill No. 171, as amended above.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR. SPEAKER. Your special committee to whom was referred Assembly Bill No. 171, with special instructions to amend as ordered by the House, would respectfully report that the instructions of the House have been carried out.

M. E. C. MUNDAY.

The bill was ordered printed, with the amendments made by the select committee.

MOTION.

Mr. Morris moved to take up Assembly Bill No. 447 for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 447—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and eighty-six, and seven hundred and eighty-nine of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and ordered to second reading.

On motion of Mr. Morris, the bill was ordered placed on the special file.

MOTION.

Mr. Watson of Alameda moved to take up Assembly Bill No. 252 for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 252—An Act to amend the Civil Code, by adding to part four, division one, a new title, providing for the incorporation of colleges and seminaries of learning.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Dooling, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henry, Heywood, Johnson, Jones, Jordan, Long, Loud, Lovell, May, McGlashan, McJunkin, Mears, Moffitt, Munday, Pellet, Pyle, Reeves, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Woodward, Yule, and Mr. Speaker—51.

NOES—None

Title approved.

MOTION.

Mr. Walrath moved to take up Assembly Bill No. 324 for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 324—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand two hundred and sixty-eight, relating to escheats.

Read second time, ordered engrossed, and to be read third time.

MOTION.

Mr. Lovell moved to take up Assembly Bill No. 450 for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 450—An Act to abolish all Commissioners, or Boards of Commissioners, heretofore created or appointed to construct or to complete the construction of any building or edifice for any county, or city and county, and providing for the Boards of Supervisors, or other governing body, of any county, or city and county, constructing or completing the construction of any building authorized to be erected for county, or city and county, uses, and repealing all conflicting Acts heretofore passed.

Read first time, and ordered to second reading.

MOTION.

On motion of Mr. Dooling, the hour of recess was postponed until one o'clock P. M.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1885.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 282—An Act to provide an additional asylum for the insane of the State of California.

Also, adopted Senate Concurrent Resolution No. 7—Relative to the protection and promotion of the viticultural industries of the State of California, and other States of the Union.

Also, Assembly Concurrent Resolution No. 4—Relative to tariff on raisins.

Also, Assembly Concurrent Resolution No. 7—Relative to Federal Post Office building in San Francisco

Also, that Assembly Bill No. 6—An Act to add a new section to the Political Code, to be known as section six hundred and thirty-five, relative to the advertisement of insurance corporations—was refused first reading.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

Senate Concurrent Resolution No. 7 referred to the Committee on Viniculture and Viticulture.

Senate Bill No. 282 referred to the Committee on State Hospitals.

SENATE CHAMBER, SACRAMENTO, February 20, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 403—An Act to establish a branch State Normal School—with amendments, and ask the Assembly to concur in said amendments.

Also, passed Assembly Bill No. 12—An Act for the permanent establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California—as amended in Senate, and ask the Assembly to concur in said amendments.

Also, passed Assembly Bill No. 52—An Act to provide for the erection of buildings for the custody of insane criminals, and persons charged with crime, and to appropriate money therefor.

EDWIN F. SMITH, Secretary.
By J. J. MCCARTHY, Assistant Secretary.

Senate Bill No. 52 referred to the Committee on Public Buildings and Grounds.

SENATE CHAMBER, SACRAMENTO, February 21, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 74—An Act entitled "An Act to provide for the further management of the State asylums for the insane."

Also, passed Assembly Bill No. 243—An Act to enlarge the duties of the Board of Viticultural Commissioners.

EDWIN F. SMITH, Secretary.

Senate Bill No. 74 referred to Committee on State Hospitals.

The consideration of Senate amendment to Assembly Bill No. 403 was taken up.

Mr. Ellison moved that Assembly Bill No. 403 be the special order for Tuesday, February 24, 1885, at two o'clock and thirty minutes P. M.

Lost.

CALL OF THE HOUSE.

Mr. Ellison moved a call of the House.

So ordered.

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

Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Yule moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question being on the concurrence of the House in the Senate amendment to Assembly Bill No. 403, the roll was called, and the House refused to concur by the following vote:

AYES—Messrs. Ashe, Banbury, Barnett, Carter of Solano, Corcoran, Henry, McGlashan, McJunkin, Munday, Van Voorhies, Watson of Alameda, Weaver, and Woodward—13.

NOES—Messrs. Allen, Almy, Barnes, Britt, Buhlert, Carter of Contra Costa, Clark, Colby, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Hollister, Hussey, Johnson, Jones, Kalben, Lafferty, Long, Loud, Lovell, May, McLean, Means, Moffitt, Patterson, Pellet, Pyle, Reeves, Sullivan, Swayne, Torrey, Ward of Butte, Ward of San Francisco, Wood, Yule, and Mr Speaker—48.

NOTICE OF RECONSIDERATION.

Mr. Ellison gave notice that he would move for a reconsideration of the vote whereby the House refused to concur in the Senate amendment to Assembly Bill No. 403.

The consideration of the amendments of the Senate to Assembly Bill No 12 was taken up

The roll was called, and the House concurred in the Senate amendments by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Means, Moffitt, Patterson, Pellet, Pyle, Reeves, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—57.

NOES—Mr. Weaver—1.

MOTIONS TO ADJOURN.

Mr. Ellison moved that when the House adjourns, that it adjourns until Tuesday, February 24, 1885, at two o'clock P. M.

Lost.

Mr. McJunkin moved that when the House adjourns, it adjourns until Monday, February 23, 1885, at one o'clock P. M.

Lost.

Mr. Lovell moved that when the House adjourns, it adjourns until Tuesday, February 24, 1885, at one o'clock and thirty minutes P. M.

Lost.

MOTIONS.

Mr. Woodward moved to take up Senate Bill No. 74, read it first time, and place it on file.

Lost.

Mr. Walrath moved to take up Assembly Bill No. 312 for passage.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 312—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure, relative to the compensation of Court Reporters.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Ellison, Franklin, Goucher, Hazard, Heath, Henry, Heywood, Hollister, Johnson, Jones, Jordan, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Munday, Pellet, Porter, Pyle, Reeves, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Mr Speaker—59.
NOES—Mr. Firebaugh—1.

Title approved.

INTRODUCTION OF A BILL—(OUT OF ORDER).

The following bill was introduced and referred as follows:

By Mr. Jones: Assembly Bill No. 562—An Act to provide for the grading and graveling of that portion of N Street, between Tenth and Thirteenth Streets, in the City of Sacramento, adjoining the State Capitol grounds.

Referred to the Committee on Public Buildings and Grounds.

MOTIONS TO ADJOURN.

At twelve o'clock and fifty minutes P. M., Mr. McJunkin moved to adjourn until Tuesday, February 24, 1885, at ten o'clock A. M.

Lost.

At twelve o'clock and fifty-two minutes P. M., Mr. May moved to adjourn.

Lost.

At twelve o'clock and fifty-five minutes P. M., Mr. McJunkin moved to adjourn until Monday, February 23, 1885, at one o'clock and fifteen minutes P. M.

Lost.

RECESS.

At one o'clock the House took a recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M., Speaker pro tem. Weaver in the chair.

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

Messrs. Allen, Banbury, Colby, Corcoran, Davis, DeWitt, Dooling, Firebaugh, Gregory, Henry, Jones, Jordan, Kalben, Loud, McGlashan, McJunkin, Mears, Moffitt, Morris, Pellet, Porter, Pyle, Reeves, Van Voorhies, Walrath, Ward of Butte, Weaver, Wood, Woodward, and Yule.

No quorum present.

CALL OF THE HOUSE.

Mr. Walrath moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Corcoran, Culver, Davis, DeWitt, Dooling, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Henley, Johnson, Jones, Jordan, Long, Loud, McGlashan, Mears, Moffitt, Morris, Pyle, Reeves, Torrey, Van Voorhies, Walrath, Ward of Butte, Weaver, Wood, Woodward, and Yule.

Mr. Morris moved that further proceedings under the call of the House be dispensed with.

Lost.

The Sergeant-at-Arms brought in the following absentees: Carter of Contra Costa, Carter of Solano, and Ellison.

The members were excused.

Mr. Heath moved that further proceedings under the call be dispensed with.

So ordered.

MOTIONS TO ADJOURN.

Mr. Walrath moved that when the House adjourns, it adjourns until Tuesday, February 24, 1885, at ten o'clock A. M.

Mr. Jordan moved to amend, until one o'clock and thirty minutes P. M.

The motion of Mr. Walrath was lost.

Mr. Henley moved to amend, by making it two o'clock P. M., which was accepted by Mr. Jordan.

The motion of Mr. Jordan was lost.

Mr. Jones moved to adjourn.

Lost.

MOTION.

Mr. Hazard moved to take up Assembly Bill No. 220 for consideration.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 220—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-nine, and one thousand one hundred and nine-five, of title four, chapter two, of the Code of Civil Procedure, and to add four new sections thereto, to be known as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three.

Read first time, and ordered to second reading.

MOTION.

Mr. Loud moved to take up Assembly Bill No. 481 for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 481—An Act to amend section two thousand three hundred and forty-nine of the Political Code.

Read first time, and ordered to second reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 504—An Act to create the County of Los Alamos, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and funds for its support by the issue of bonds or otherwise, and for this purpose to provide for taking the census of Santa Barbara County—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend that the substitute do pass.

EDWARDS, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 25—An Act to amend section one thousand seven hundred and twenty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to Public Administrators—respectfully recommend that it do pass, as amended.

Also, Senate Bill No. 68—An Act to amend chapter twelve, title nine, of the Penal Code, relating to counterfeited trademarks—respectfully recommend that it do pass.

Also, Assembly Bill No. 439—An Act to amend section one thousand two hundred and seventy-nine of the Civil Code of the State of California, in relation to conjoint or mutual wills—respectfully recommend that it do pass.

Also, Assembly Bill No. 518—An Act to add a new section to the Political Code, to be numbered section three thousand five hundred and fifty-seven, relative to proceedings against delinquent purchasers—respectfully recommend that it do pass.

Also, Assembly Bill No. 430—An Act to amend section one thousand and eighty-six of the Code of Civil Procedure, relating to the writ of mandate—respectfully recommend that it do pass.

Also, Assembly Bill No. 501—An Act to pay for professional services rendered on behalf of the people in the case of The People vs. Parks, wherein the Supreme Court declared the "Act to promote drainage" unconstitutional—respectfully recommend that it do pass.

Also, Assembly Bill No. 420—An Act to amend section one thousand four hundred and twenty-two of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872—respectfully recommend that it do not pass.

Also, Assembly Bill No. 545—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor—respectfully recommend that it do pass, as amended.

Also, Assembly Bill No. 534—An Act relating to taxes paid to the Attorney-General of the State of California—respectfully recommend that it do pass.

ELLISON, Chairman.

MOTIONS.

Mr. Corcoran moved that each member be allowed to call up a bill for first reading in the order in which his name appears on the roll of the House.

So ordered.

Mr. Walrath moved a call of the House.

Lost.

Mr. Firebaugh moved that Assembly Bill No. 214 be taken up for consideration.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 214—An Act to amend an Act, and the title thereof, approved March 26, 1880, entitled "An Act authorizing the Boards of Supervisors of the counties in which water is sold for the purpose of irrigation, to fix the rates at which water shall be sold."

Read second time.

Mr. Firebaugh moved to amend, as follows: strike out, in section one, after word "sold," the word "principally;" also, in fourth line, after the words "to fix the," strike out the word "maximum;" and

after the word "sold," in fifth line, and before the word "at," insert "and may establish different rates for Winter and Summer irrigation."

Mr. Ashe moved to strike out the enacting clause.

Mr. Moffitt moved the previous question.

So ordered.

The motion of Mr. Ashe was then put, and the roll call was demanded by Messrs. Walrath, McGlashan, and Hollister.

The motion was lost by the following vote:

AYES—Messrs. Banbury, Barnett, Carter of Contra Costa, Clark, Corcoran, Davis, DeWitt, Dooling, Goucher, Gregory, Hazard, Johnson, Mears, Moffitt, Munday, Pyle, Reeves, Torrey, and Weaver—19.

NOES—Messrs. Allen, Almy, Ashe, Britt, Carter of Solano, Colby, Cook, Ellison, Firebaugh, French, Heath, Henley, Henry, Hollister, Jones, Loud, McGlashan, Porter, Walrath, Watson of El Dorado, Ward of Butte, Wood, Woodward, and Yule—23.

MOTIONS TO ADJOURN.

Mr. Goucher moved to adjourn until Monday, February 23, 1885, at ten o'clock A. M.

Lost.

Mr. Henley moved to adjourn until Tuesday, February 24, 1885, at two o'clock P. M.

Lost.

Mr. Munday moved to adjourn until Tuesday, February 24, 1885, at ten o'clock A. M., in honor of the Father of Our Country.

Mr. Colby moved to amend, to adjourn until Tuesday, February 24, 1885, at one o'clock P. M.

Lost.

Mr. Jones moved to amend, to adjourn until Monday, February 23, 1885, at one o'clock P. M.

Lost.

The motion of Mr. Munday was then put and lost.

The question being on the adoption of the amendments of Mr. Firebaugh to Assembly Bill No. 214, the amendments were lost.

Mr. Munday moved to indefinitely postpone the consideration of the bill.

The roll call was demanded by Messrs. Firebaugh, Ellison, and Goucher.

The motion was carried by the following vote:

AYES—Messrs. Ashe, Banbury, Barnes, Barnett, Carter of Contra Costa, Clark, Cook, Corcoran, Culver, Davis, DeWitt, Dooling, Goucher, Gregory, Hazard, Henley, Long, McLean, Mears, Moffitt, Munday, Pyle, Reeves, Torrey, Van Voorhies, and Weaver—26.

NOES—Messrs. Allen, Almy, Britt, Carter of Solano, Colby, Edwards, Ellison, Heath, Henry, Hollister, Jones, Jordan, Loud, McGlashan, Porter, Walrath, Ward of Butte, Wood, and Woodward—19.

MOTION.

Mr. Henry moved to place Assembly Bill No. 163 on the special file.

Lost.

MOTION TO ADJOURN.

Mr. Jordan moved to adjourn until Tuesday, February 24, 1885, at ten o'clock A. M.

Lost.

FIRST READING OF BILLS.

In accordance with the motion of Mr. Corcoran, the following bills were taken up and considered:

Assembly Bill No. 502—An Act to promote drainage.

Read first time, and ordered to second reading.

Assembly Bill No. 454—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Read first time, and ordered to second reading.

Assembly Bill No. 317—An Act entitled "An Act to amend section seven hundred and thirty-seven of the Political Code of the State of California, relating to the salaries of Superior Judges.

Read first time, and ordered to second reading.

Senate Bill No. 113—An Act to provide for the completion of the State Capitol fence, and to appropriate money therefor.

Read first time, and ordered to second reading.

On motion of Mr. Jones, the bill was ordered on the special file.

Assembly Bill No. 329—An Act in relation to lawful fences.

Read first time, and ordered to second reading.

Senate Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of an Act to establish a Political Code, approved March 12, 1872, relating to the formation of school districts.

Read first time, and ordered to second reading.

Assembly Bill No. 281—An Act to declare a part of the branch of the San Joaquin River, known as Middle River, not navigable.

Read first time, and ordered to second reading.

Assembly Bill No. 309—An Act appropriating money to pay the claim of William Gutenberger, for mechanics' tools and property destroyed at the branch State Prison at Folsom.

Read first time, and ordered to second reading.

Assembly Bill No. 520—An Act to amend sections nine hundred and thirty-nine and nine hundred and sixty-three of the Code of Civil Procedure.

Read first time, and ordered to second reading.

Assembly Bill No. 302—An Act to provide for the publication of monthly crop and stock reports by the State Board of Agriculture.

Read first time, and ordered to second reading.

Assembly Bill No. 363—An Act to amend section one thousand one hundred and eighty-one of the Civil Code, relative to Circuit Court Commissioners.

Read first time, and ordered to second reading.

Assembly Constitutional Amendment No. 14—Proposed amendment to article twelve of the Constitution, relative to Railroad Commissioners.

Roll call demanded on the first reading, by Messrs. Henley, Dooling, and Moffitt.

Pending the calling of the roll, Mr. Jordan moved to adjourn.

Mr. Henry moved to amend, until Tuesday, February 24, 1885, at one o'clock P. M.

Amendment accepted by Mr. Jordan.

Lost.

The roll was called, and the bill was refused first reading by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Davis, DeWitt, Dooling, Ellison, Goucher, Gregory, Hazard, Heath, Henley, Henry, Johnson, Jones, Jordan, McGlashan, McLean, Mears, Moffitt, Munday, Pyle, Reeves, Torrey, Ward of Butte, Weaver, Woodward, and Yule—36.

NOES—None

There not being a quorum present, the bill did not receive a majority vote, and the reading was declared out of order.

MOTION TO ADJOURN.

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

Roll call demanded by Messrs. Jordan, Allen, and Moffitt.

The roll was called, and the House refused to adjourn by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Barnett, Carter of Contra Costa, Carter of Solano, Cook, Corcoran, Daley, DeWitt, Ellison, Heath, Hollister, Johnson, Jones, McGlashan, Mears, Patterson, Pyle, Walrath, Weaver, and Wood—22.

NOES—Messrs. Banbury, Clark, Dooling, Firebaugh, Goucher, Hazard, Henley, Henry, Jordan, Long, Loud, McLean, Moffitt, Munday, Porter, Reeves, Torrey, Van Voorhies, Ward of Butte, Woodward, and Yule—21.

CALL OF THE HOUSE.

Mr. Colby moved a call of the House.

Lost.

The roll was then ordered called again on the question of first reading of Assembly Constitutional Amendment No. 14, and there was no quorum present, as shown by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnett, Carter of Contra Costa, Carter of Solano, Clark, Colby, Corcoran, Dooling, Ellison, Firebaugh, Gregory, Hazard, Heath, Henley, McGlashan, McLean, Mears, Moffitt, Munday, Porter, Reeves, Ward of Butte, Weaver, Wood, and Woodward—27

NOES—Messrs. Ashe, DeWitt, Patterson, Pyle, Van Voorhies, and Walrath—6.

NOTICE OF RECONSIDERATION.

Mr. Moffitt gave notice that he would move to reconsider the vote whereby Assembly Bill No. 214 was indefinitely postponed.

LEAVE OF ABSENCE.

The following members were granted leave of absence until Tuesday, February 24, 1885, viz.: Messrs. Hussey, Coleman, May, Clark, Colby, Buhlert, and McJunkin.

RECESS.

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

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M.

Speaker pro tem. Weaver in the chair.

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

Messrs Allen, Ashe, Banbury, Barnett, Britt, Carter of Solano, Cook, Corcoran, DeWitt, Dooling, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Johnson, Jones, Jordan, Long, Loud, McGlashan, McLean, McMurray, Mears, Moffitt, Munday, Porter, Reeves, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, and Yule.

Quorum present.

CALL OF THE HOUSE.

Mr. Moffitt moved a call of the House.

Lost.

MOTIONS.

Mr. Moffitt moved to take up Assembly Bill No. 191 for consideration.

Pending action, Mr. Jordan moved that when the House adjourns that it adjourns until Tuesday, February 24, 1885, at ten o'clock A. M.

So ordered.

The motion of Mr. Moffitt was withdrawn by consent of the House.

FIRST READING OF BILLS—(RESUMED).

Assembly Constitutional Amendment No. 14—Proposed amendment to article twelve of the Constitution, relative to Railroad Commissioners.

Read first time, and ordered to second reading.

Assembly Bill No. 500—An Act to declare the American River navigable.

Read first time, and ordered to second reading.

Assembly Bill No. 442—An Act making it the duty of the Secretary of State to furnish all public libraries with copies of State documents.

Read first time, and ordered to second reading.

Assembly Bill No. 522—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

Read first time, and ordered to second reading.

Assembly Bill No. 504—An Act to create the County of Los Alamos, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization, and funds for its support, by the issue of bonds, or otherwise, and for this purpose to provide for taking the census of Santa Barbara County.

Read first time, and ordered to second reading.

Assembly Bill No. 448—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

Read first time, and ordered to second reading.

Assembly Bill No. 497—An Act to establish a Meteorological Bureau in connection with the State University of California, and making an appropriation therefor.

Read first time, and ordered to second reading.

Assembly Bill No. 151—An Act prescribing the mode of maintaining and defending possessory action on unsurveyed public lands in this State.

Read first time, and ordered to second reading.

Assembly Bill No. 406—An Act to compel individuals, companies,

or corporations, possessing, owning, or controlling water for purposes of irrigating or mining, to distribute the water pro rata among purchasers in times of scarcity or drought.

Read first time, and ordered to second reading.

Assembly Bill No. 469—An Act to amend section one thousand two hundred and sixty-three of the Penal Code.

Read first time, and ordered to second reading.

Assembly Bill No. 253—An Act to provide for the organization of cities having a population of over three thousand inhabitants and not exceeding ten thousand, into separate school districts, for the election therein of Boards of Education, and to prescribe their powers and duties.

Read first time, and ordered to second reading.

Assembly Bill No. 313—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estates of deceased persons.

Read first time, and ordered to second reading.

Assembly Bill No. 304—An Act for the relief of James Kannavan, George Carlisle, and George W. Citerson.

Read first time, and ordered to second reading.

MOTION.

On motion of Mr. Jones, Assembly Bills Nos. 425 and 350 were ordered placed on the special file.

REPORT OF STANDING COMMITTEE.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 432—An Act to amend section three hundred and twenty-three of the Civil Code relating to corporate stock

Also, Assembly Bill No. 433—An Act to amend section three hundred and seventy-eight of the Civil Code, concerning records of corporations.

Also, Assembly Bill No. 434—An Act to amend section three hundred and fifty-eight of the Civil Code, concerning corporate powers.

Also, Assembly Bill No 537—An Act to provide for the impounding of mining debris.

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

JONES, Chairman.

ADJOURNMENT.

At eight o'clock and forty-five minutes P. M., on motion of Mr. Van Voorhies, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 24, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Hollister, Hussey, Jones, Jordan, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Messrs. Clark, Coleman, Corcoran, Daley, Douglas, French, Henley, Henry, Heywood, Hunt, Johnson, Pyle, Lafferty, Morris, Davis, Barnes, Watson of El Dorado, and Barnett, were granted leave of absence for one day.

Mr. Laughlin was granted indefinite leave of absence.

PETITIONS.

By Mr. McGlashan:

MEMORIAL.

To the honorable the Senate and Assembly of the State of California:

Your petitioners do most respectfully represent to your honorable bodies that the industries of our State are suffering great hardship and prostration on account of our present oppressive and discouraging system of taxation.

It is most burdensome, in that it does bear upon industry with repressive severity at every turn, indeed, it puts a penalty upon enterprise, and inflicts punishment upon those who put their capital and most valuable experience into projects calculated to develop the material resources of the State.

It does by this means drive capital out of the channels of industry, wherein its employment would greatly promote the general good, into idle speculation, by which the individual good of the capitalist is advanced at the expense of the public.

It fosters an outrageous and destructive system of land monopoly, by which the people are despoiled of their common and natural heritage, and by which the elements necessary to life and progress are held in the grasp of a few selfish and unpatriotic speculators, who are more eager to establish a "Land Peerage," with its accompanying serfdom, than they are to promote the glorious institutions of which our country has heretofore so proudly boasted.

We earnestly ask that you will give serious attention to these considerations; that you will adopt and present to the people for ratification a constitutional amendment providing for the exemption of all capital, including improvements upon land, from taxation, and providing that all revenue for State, county, and municipal purposes, shall be raised by taxation upon land values only.

Such a measure would have the immediate effect of accomplishing two most desirable purposes, namely

1. It would give enormous encouragement to enterprise and industry, as is shown by the experience of our sister States of Louisiana and Mississippi, both of which have partially adopted this most beneficent measure.

2. It would greatly discourage land monopoly, which is the deadliest foe of civilization, progress, justice, and liberty, and it would thereby unlock the natural resources of the State to the strong and willing hands that are anxious to develop them.

That this measure may meet with your approval is the earnest wish of your petitioners.

THE TAX REFORM LEAGUE OF CALIFORNIA.
JAMES G. MAGUIRE, President.

(Signed)
P. J. HEALY, Secretary.

SAN FRANCISCO, February 16, 1885.

On motion of Mr. May, the memorial was ordered printed in the Journal.

By Mr. Heath: Petition from the Pacific Turn Bezirk, relative to the cremation of the dead.

Referred to Committee on State Hospitals.

By Mr. Jordan: Protest from insurers, against the passage of Senate Bill No. 20 and Assembly Bill No. 189.

Referred to Committee on Corporations.

By Mr. Loud: Petition from property owners of South San Francisco, opposing the construction of drawbridges on Kentucky Street.

Referred to Committee on Commerce and Navigation.

By Mr. McLean: Petition from citizens of Los Angeles County, relative to instructions in public schools, as to the effects of alcoholic stimulants on the human system.

Referred to Committee on Public Morals.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Carter of Contra Costa:

Resolved, That all bills be striken from the file which have not been read first time, and which the committee have recommended that they do not pass.

Referred to Committee on Rules and Regulations.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. McJunkin:

WHEREAS, Ulysses S. Grant, after conducting the armies of the Union through many hard fought battles to complete and glorious victory, was induced by the importunities of his countrymen to resign the honorable position at the head of the army of the United States, which he held for life, in order to serve his country as President; and whereas, General Grant, after eight years of honorable service as President of the United States, is now growing old, is broken in health, and has been unfortunate in finances; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring:

1. That our Senators be and they are hereby instructed and our Representatives in Congress be and they are hereby requested to support the bill now pending in Congress, or any other similar measure, for placing the name of General Grant on the list of retired officers of the army, with the rank and pay to which he would have been entitled if he had remained at the head of the army.

2. That we deem this much due to General Grant, as a just, though slight, recognition of the immortal services which he has rendered his country, for which he never can be adequately compensated.

3. That the Governor be and he is hereby requested to transmit these resolutions by telegraph to Senator John F. Miller, with the request that he lay the same before his colleagues in the House of Representatives forthwith.

Adopted, and ordered to be immediately transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1885.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 20—Relative to the sale of lands west of the Rocky Mountains—have considered the same, and report it back to the House, and recommend that it do pass.

Also, Assembly Concurrent Resolution No. 21—Relative to the importation of opium—your committee have examined the same, and report it back to the House, and recommend that it do pass.

RUSS, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1885.

MR SPEAKER: Your Committee on Labor and Capital, to whom was re-referred Assembly Bill No. 477—have had the same under consideration, and respectfully report the same back, without recommendation.

ALLEN, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1885.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 189—An Act to require the payment of certain premiums to the Fire Departments of incorporated cities, cities and counties, and towns, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums—have had the same under consideration, and respectfully report the same back without recommendation.

EDWARDS, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1885.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 515—An Act to prohibit the sale of spirituous or malt liquors in the vicinity of school houses and houses of worship within the State of California, and outside of any incorporated town therein—have had the same under consideration, and recommend that it pass, as amended.

Also, Assembly Bill No. 547—An Act to prohibit the sale of intoxicating liquors within one mile of the University of California—recommend that it do pass, as amended.

Also, Assembly Bill No. 539—An Act to prohibit the licensing and sale of alcoholic liquors outside of incorporated towns and cities—have considered the same, and recommend that it do not pass.

Also, Assembly Bill No. 538—An Act for the suppression of vagrancy, to be known as the "Tramp Act."

Also, Assembly Bill No. 542—An Act to add a section to the Penal Code, to be numbered two hundred and sixty-eight, to punish seduction.

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

R C. CARTER, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 171—An Act to provide for the organization and control of water and irrigation districts.

Assembly Constitutional Amendment No. 3—Proposed amendment to article fourteen of the Constitution, relative to the sale, rental, and distribution of water.

Assembly Bill No. 170—An Act to provide for the discovery and adjudication of the origin, extent, and nature of all appropriations, diversions, and utilization of water for agricultural purposes and other beneficial uses made in the State under the statutory laws thereof, or under the laws of the United States, or in pursuance of local custom or usage, and of all claims of right based upon appropriations, diversions, and utilizations, laws, or customs; to provide for the recording thereof according to an approved and generally uniform system, and to provide for the annual correction or renewal of the record to correspond to the facts of the year in each case.

Assembly Bill No. 324—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand two hundred and sixty-eight, relating to escheats.

Assembly Bill No. 478—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section one thousand one hundred and ninety, relating to the payment of election rewards

Assembly Bill No. 483—An Act to amend an Act entitled "An Act to establish a Penal Code," by amending section one thousand and forty-six thereof, relating to forming juries in criminal causes.

Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, so as to permit the sale of State school lands not suitable for cultivation, without requiring actual settlement thereon by the purchasers.

Assembly Concurrent Resolution No. 22—Relative to placing General U. S. Grant on the retired list.

DEVENY, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 309—An Act to appropriate money for the support of the Bureau of Labor Statistics

EDWIN F SMITH, Secretary.

Senate Bill No. 309 was referred to the Committee of Labor and Capital.

INTRODUCTION OF BILLS.

Mr. Munday offered to introduce a bill, when objection was raised by Mr Firebaugh, that the constitutional fifty days had expired on yesterday, and the consent of two thirds of the House must be obtained.

The Speaker ruled that the fifty days had not expired.

Mr. Firebaugh moved that the question of the proper interpretation of that portion of article four referring to the introduction of bills be referred to the Committee on Judiciary.

So ordered.

The bill was ordered to lay on the table until the report of the Committee on Judiciary was received.

SPECIAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 205—An Act making an appropriation for the deficiency in the appropriation for official advertising for the thirty-second fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Corcoran, Culver, DeWitt, Dooling, Edwards, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Jones, Jordan, Long, Loud, Lovell, May, McDonald, McGlashan, McLean, McMurray, Mears, Moffitt, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Wood, Woodward, Yule, and Mr. Speaker—51.

NOES—Messrs. Hollister and McJunkin—2.

Title approved.

Assembly Constitutional Amendment No. 7—Relative to Legislative Department.

Passed on the file.

Assembly Bill No. 206—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirty-first fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Beard, Black, Britt, Buhlert, Carter of Solano, Colby, Cook, Corcoran, Culver, Deveny, DeWitt, Dooling, Edwards, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Hollister, Jones, Jordan, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Wood, Woodward, Yule, and Mr. Speaker—51.

NOES—None.

Title approved.

Assembly Bill No. 207—An Act making an appropriation for the deficiency in the appropriation for water, irrigation, purchase of hose, etc., for Capitol grounds, for the thirty-second fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Beard, Britt, Buhlert, Carter of Solano, Colby, Cook, Corcoran, Culver, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Hollister, Jones, Jordan, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Wood, Woodward, and Mr Speaker—51.

NOES—None.

Title approved.

Assembly Bill No. 227—An Act for an appropriation for the deficiency in the appropriation for traveling expenses of Railroad Commissioners for thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, DeWitt, Douglas, Edwards, French, Heath, Henley, Hollister, Jones, Jordan, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Woodward, Yule, and Mr. Speaker—44.

NOES—Messrs. Colby, Firebaugh, Goucher, Gregory, and Ward of Butte—5.

Title approved.

Assembly Bill No. 229—An Act making an appropriation for the deficiency in the appropriation for pay of stenographer to Railroad Commissioners for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Beard, Black, Britt, Buhlert, Clark, Cook, Corcoran, Culver, Deveny, DeWitt, Dooling, Edwards, Ellison, French, Heath, Henley, Hollister, Jones, Jordan, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Woodward, Yule, and Mr. Speaker—45.

NOES—Messrs. Colby, Firebaugh, Goucher, Gregory, Roseberry, and Ward of Butte—6.

Title approved.

Assembly Bill No. 230—An Act making an appropriation for the deficiency in the appropriation for the transportation of the insane for the thirty-third fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Beard, Black, Britt, Buhlert, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Deveny, DeWitt, Dooling, Edwards, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Hollister, Jones, Jordan, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Patterson, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Woodward, Yule, and Mr. Speaker—51.

NOES—None.

Title approved.

Assembly Bill No. 231—An Act making an appropriation for the deficiency in the appropriation for education and care of deaf, dumb, and blind, for twenty-third fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Black, Britt, Buhlert, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Hollister, Jones, Jordan, Long, Loud, May, McDonald, McJunkin, McLean, McMurray, Mears, Moffitt, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Walrath, Ward of Butte, Woodward, Yule, and Mr. Speaker—48.

NOES—None.

Title approved.

Assembly Bill No. 232—An Act making an appropriation for the deficiency in the appropriation for furnishing State Normal School, San José, for thirty-third fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Black, Britt, Buhlert, Carter of Solano, Clark, Colby, Cook, Culver, Deveny, DeWitt, Edwards, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Jordan, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Walrath, Ward of Butte, Ward of San Francisco, Woodward, Yule, and Mr. Speaker—44.

NOES—None.

Title approved.

Assembly Bill No. 233—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in State Library for the thirty-third fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Black, Britt, Buhlert, Carter of Solano, Clark, Colby, Cook, Culver, Deveny, DeWitt, Edwards, Ellison, Firebaugh, Gregory, Hazard, Heath, Jordan, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Ward of Butte, Ward of San Francisco, Wood, Woodward, Yule, and Mr. Speaker—46.

NOES—None.

Title approved.

Assembly Bill No. 234—An Act making an appropriation for the deficiency in the appropriation for rent, printing, and contingent expenses of Insurance Commissioner for the thirty-third fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Deveny, Edwards, Ellison, Firebaugh, Goucher, Gregory, Hazard, Heath, Jordan, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Patterson, Pellet, Reeves, Roseberry, Russ, Sullivan, Swayne, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—42.

NOES—Mr. Colby—1.

Title approved.

Assembly Bill No. 236—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at the State Prison, San Quentin, for the thirty-third fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, DeWitt, Edwards, Ellison, Firebaugh, Goucher, Gregory,

Hazard, Heath, Jordan, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of San Francisco, Woodward, and Mr. Speaker—45.

NOES—Mr. Colby—1.

Title approved.

Assembly Bill No. 167—An Act making an appropriation for the deficiency in the support of the State Prison at San Quentin for the thirty-fifth fiscal year

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, DeWitt, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Hollister, Jones, Jordan, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—49.

NOES—Messrs. Colby and Edwards—2.

Title approved.

Assembly Bill No. 168—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at the State Prison at San Quentin for the thirty-fifth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Hollister, Jones, Jordan, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of San Francisco, Woodward, and Mr. Speaker—47.

NOES—Messrs. Colby, DeWitt, Edwards, and Henley—4.

Title approved.

Assembly Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fifth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Deveny, DeWitt, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Hollister, Jones, Jordan, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of San Francisco, Woodward, and Mr. Speaker—49.

NOES—Messrs Colby and Henley—2.

Title approved.

Assembly Bill No. 292—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-sixth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Deveny, DeWitt, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Hollister, Jones, Jordan, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Roseberry,

Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—50.

NOES—Mr. Colby—1.

Title approved.

Assembly Bill No. 346—An Act making appropriation for a deficiency in the appropriation for the salary of Secretary, and completion of State Engineer's report and maps on irrigation for the thirty-fourth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Beard, Black, Buhlert, Carter of Contra Costa, Clark, Cook, Corcoran, Culver, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Hollister, Jones, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Munday, Patterson, Pellet, Porter, Russ, Sullivan, Swayne, Walrath, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—45.

NOES—Messrs. Carter of Solano, Colby, Jordan, Mears, Roseberry, Watson of Alameda, and Ward of Butte—7.

Title approved.

SECOND READING OF BILLS

Assembly Bill No. 36—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Mr. Corcoran moved that the rules be suspended, and the bill considered without going into Committee of the Whole.

So ordered.

Bill read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 523—An Act to authorize the commitment of persons to House of Correction.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 489—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties.

Read second time.

Mr. Edwards moved that the Clerk be authorized to insert the enacting clause as follows:

The People of the State of California, represented in Senate and Assembly, do enact as follows.

So ordered.

Mr. Ellison moved to amend as follows: insert, between the word "class," in line sixty, and the word "counties," in line sixty-four, the following: "counties having a population of nine thousand four hundred and seventy-eight, and under nine thousand four hundred and eighty-five, shall belong to and be known as counties of the twenty-sixth class;" "counties having a population of nine thousand three hundred, and under nine thousand four hundred and seventy-eight, shall belong to and be known as counties of the twenty-seventh class;" each succeeding class to be numbered accordingly.

So ordered.

Mr. DeWitt moved that the further consideration of the bill be indefinitely postponed.

Lost.

Bill ordered engrossed, and to be read the third time.

MOTION.

Mr. Loud moved to take up Assembly Bill No. 481 for consideration.
So ordered.

SECOND READING OF BILL.

Assembly Bill No. 481—An Act to amend section two thousand three hundred and forty-nine of the Political Code.

Read second time.

Mr. Firebaugh moved to amend as follows: amend, by striking out the second word of line seven, page one, and in lieu thereof insert the work "Creek."

Lost.

Also, amend, on page three, after the end of line sixty-seven, by inserting the following: "Islais Creek from its mouth to the source thereof."

Lost.

The Committee on Municipal Corporations offered the following amendments: amend the title, by striking out the words "of the," after "forty-nine," and inserting in place thereof the words "of an Act entitled 'An Act to establish a;'" also, after the words "Political Code," insert the words "approved March 12, 1872, relating to the public ways and navigable streams."

So ordered.

Ordered engrossed, and to be read third time.

MOTION.

Mr. Britt moved to take up Assembly Bill No. 295 for passage.
So ordered.

THIRD READING OF BILL.

Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, so as to permit the sale of State school lands not suitable for cultivation, without requiring actual settlement thereon by the purchasers.

Read third time.

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

AYES—Messrs. Allen, Almy, Beard, Black, Carter of Solano, Colby, Cook, Corcoran, Dooling, Edwards, Henry, Hollister, Jones, Jordan, Long, May, McDonald, McGlashan, McJunkin, McMurray, Porter, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Wood, and Mr. Speaker—28.

NOES—Messrs. Ashe, Britt, Buhlert, Carter of Contra Costa, Clark, Culver, Deveny, DeWitt, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Henley, Lovell, McLean, Mears, Moffitt, Munday, Patterson, Pellet, Reeves, Roseberry, Russ, Sullivan, Swayne, Ward of Butte, Weaver, Woodward, and Yule—31.

SECOND READING OF BILLS.

Assembly Bill No. 258—An Act to amend section four thousand four hundred and eight of the Political Code, relating to the powers of the Common Councils of cities.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 297—An Act to amend the Code, in relation to the taxation of ferryboats and all water crafts.

Read second time.

Mr. Carter of Contra Costa moved to amend, by striking out section three.

So ordered.

Ordered engrossed, and to be read third time.

MOTION.

Mr. Jones moved that Senate Bills Nos. 113 and 114 be taken up for consideration, and that they be considered without going into Committee of the Whole.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 113—An Act to provide for the completion of the State Capitol fence, and to appropriate money therefor.

Read second time, and ordered to be read third time.

Senate Bill No. 114—An Act to provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor.

Read second time, and ordered to be read third time.

MOTION.

Mr. Pellet moved to take up Assembly Bill No. 409 for first reading.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 409—An Act to authorize the cremation of the dead, and the erection, construction, location, and operation of crematories.

Read first time, and ordered to second reading.

RECONSIDERATION.

Mr. Firebaugh moved to reconsider the vote whereby Assembly Bill No. 214 was indefinitely postponed.

Lost on a division—ayes, 25; noes, 32.

MOTION.

Mr. Culver moved that Assembly Bill No. 349 be taken up for second reading, and that the rules be suspended and the bill considered without going into Committee of the Whole.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 349—An Act to provide for the payment of the claim of William Saunders.

Read second time.

The Committee on Claims offered to amend as follows: in section two, line two, of the printed bill, between the words "warrant" and "drawn," insert the words "if any were."

So ordered.
Ordered engrossed, and to be read third time.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.

MOTION.

Mr. Jones moved that Assembly Bill No. 431 be substituted on the file for Assembly Bill No. 537, and that No. 537 be returned to the Committee on Corporations.
So ordered.

SPECIAL ORDER.

The time for the consideration of special order for two o'clock P. M. this day having arrived, Senate Bill No. 20—An Act to require the payment of certain premiums to cities and counties, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums—was taken up.
Read second time.
Mr. Coleman moved to amend as follows: amend section one, by inserting after the word "corporation," on line four, as printed, the words "or company;" also, by striking out the words "individual or association of individuals," on line nine, and inserting in lieu thereof the words "corporation or company;" also, by striking out the words "individual or association," on lines ten and eleven, and inserting in lieu thereof the words "corporation or company;" also, by striking out the words "individual or association," on line twelve, and inserting in lieu thereof the words "corporation or company."
So ordered.
Mr. McJunkin moved to amend as follows: amend, by striking out of section one, lines four and five, the words: "not incorporated by or under the laws of this State; but."
Lost.
Mr. McJunkin moved to amend as follows: amend, by striking out of section three, lines one and two, the words "Fire Commissioner or other governing bodies of the fire department or fire departments," and inserting instead the following: "Boards of Supervisors."
Lost.
Mr. McJunkin moved to amend as follows: amend, by striking out of section four, lines one and two, the words: "the Board of Fire Commissioners or Board of Trustees, or other governing body of the respective fire departments or companies," and inserting instead the following: "the Board of Supervisors."
Lost.
Bill ordered engrossed, and to be read third time.
On motion of Mr. Coleman, Senate Bill No. 20 was made a special

order for Wednesday, February 25, 1885, immediately after the reading of the Journal.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Concurrent Resolutions have been correctly enrolled

Assembly Concurrent Resolution No 4—Relating to the tariff on raisins.

Assembly Concurrent Resolution No. 7—In regard to a Federal Post Office building in San Francisco.

And the same were, at one o'clock and twenty-five minutes P. M., February 24, 1885, presented to the Governor for his approval.

Also, Assembly Bill No. 243—Entitled "An Act to enlarge the duties of the Board of State Viticultural Commissioners."

And the same was, at one o'clock and twenty-five minutes P. M., February 24, 1885, presented to the Governor for his approval.

DALEY, Chairman.

MOTION.

Mr. McLean moved that Assembly Bill No. 504 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 504—An Act to create the County of Los Alamos, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and funds for its support by the issue of bonds or otherwise, and for this purpose to provide for taking the census of Santa Barbara County.

The Committee on County and Township Governments offered a substitute, which was read, amended, and adopted.

Ordered engrossed, and to be read third time.

MOTION.

Mr. Clark moved that Assembly Bill No. 216 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of the County Government Bill, authorizing the Board of Supervisors to allow certain deputies.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Barnes, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Henry, Heywood, Hollister, Hunt, Jordan, Kalben, Long, Loud, Lovell, May, McJunkin, McMurray, Mears, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Sullivan, Swayne, Torrey, Van Voorhies, Watson of Alameda, Ward of San Francisco, Whitcomb, Yule, and Mr. Speaker—56.

NOES—Messrs. Allen, Goucher, Jones, McGlashan, Moffitt, Russ, Ward of Butte, Weaver, Wood, and Woodward—10.

Title approved.

MOTION.

Mr. Van Voorhies moved that the substitute for Assembly Bill No. 72 be put upon its passage.

So ordered.

THIRD READING OF BILL

Substitute for Assembly Bill No. 72—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending and revising, and subdividing into new sections, section one hundred and sixty-three of said Act, and renumbering sections one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, and one hundred and eighty-four of said Act, shall be hereafter respectively known and numbered as sections two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, two hundred and seventeen, two hundred and eighteen, two hundred and nineteen, two hundred and twenty, two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, two hundred and twenty-six, two hundred and twenty-seven, two hundred and twenty-eight, two hundred and twenty-nine, two hundred and thirty, and two hundred and thirty-one.

Having been read third time, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Heath, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lovell, May, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—60.

NOES—Messrs. Hazard, Long, and Loud—3.

Title approved.

MOTION.

Mr. Henry moved that Assembly Bill No. 163 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 163—An Act to eradicate glanders and farcy, a disease among horses and other animals, and to empower the several County Boards of Supervisors of this State to create the office of County Veterinary Surgeon, and to provide for his compensation and define his powers and duties.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Beard, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hunt, Jones, Jordan, Kalben, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—66.

NOES—None.

Title approved.

MOTION.

Mr. Jordan moved that Senate Bill No. 118 be taken up for second reading.

So ordered.

Mr. Lovell moved that the rules be suspended, and the House consider the bill without going into Committee of the Whole.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 118—An Act for the relief of Robert McKillican.

Read second time, ordered engrossed, and to be read third time.

MOTION.

Mr. Moffitt moved that Senate Bill No. 73 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 73—An Act to grant to Boards of Health, or Health Officers, in cities, and cities and counties, the power to regulate the plumbing and drainage of buildings, and to provide for the registration of plumbers.

Read second time, ordered engrossed, and to be read third time.

MOTION.

Mr. Cook moved that Assembly Bill No. 484 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 484—An Act to amend section two thousand six hundred and eighty-seven of an Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two, in said Code, relative to roads and highways.

Read second time, ordered engrossed, and to be read third time.

MOTION.

Mr. Weaver moved that Assembly Bills Nos. 170 and 171, and Assembly Constitutional Amendment No. 3, be taken up for passage.

So ordered.

THIRD READING OF BILLS.

Assembly Bill No. 171—An Act to provide for the organization and control of water and irrigation districts.

Having been read third time, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Ashe, Banbury, Barnes, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Deveny, DeWitt, Dooling, Edwards, French, Gregory, Hazard, Heath, Henley, Henry, Hunt, Jordan, Kalben, Long, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Sullivan, Swayne, Torrey, Watson of Alameda, Ward of San Francisco, Weaver, Woodward, Yule, and Mr. Speaker—52.

NOES—Messrs. Colby, Davis, Douglas, Ellison, Firebaugh, Hollister, Jones, Porter, Roseberry, and Wood—10.

Title approved.

NOTICE OF RECONSIDERATION.

Mr. McJunkin gave notice that he would move to reconsider the vote whereby Assembly Bill No. 171 was passed.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 170—An Act to provide for the discovery and adjudication of the origin, extent, and nature of all appropriations, diversions, and utilization of water for agricultural purposes and other beneficial uses made in the State under the statutory laws thereto, or under the laws of the United States, or in pursuance of local custom or usage; and of all claims of right based upon appropriations, diversions, and utilizations, laws, or customs; to provide for the recording thereof according to an approved and generally uniform system, and to provide for the annual correction or renewal of the record to correspond to the facts of the year in each case.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Deveny, DeWitt, Dooling, Douglas, Edwards, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hunt, Jordan, Kalben, Long, Loud, Lovell, May, McGlashan, McMurray, Mears, Moffitt, Morris, Patterson, Pyle, Russ, Sullivan, Swayne, Torrey, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Woodward, Yule, and Mr. Speaker—54.

NOES—Messrs. Colby, Davis, Ellison, Firebaugh, Hollister, Jones, McJunkin, Porter, Reeves, Ward of Butte, and Wood—11.

Assembly Constitutional Amendment No. 3—Proposed amendment to article fourteen of the Constitution, relative to the sale, rental, and distribution of water:

The Legislature of the State of California, at its twenty-sixth session, commencing on the first Monday after the first day of January, A. D. 1885, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby proposes that article fourteen, section one, of the Constitution of the State of California, be amended so as to read as follows:

SECTION 1. The use of all water now appropriated, or that may hereafter be appropriated, for sale, rental, or distribution, is hereby declared to be a public use, and subject to the regulation and control of the State, in the manner to be prescribed; *provided*, that the rates or compensation to be collected by any person, company, corporation, or irrigation district in this State, for the use of water supplied to any city and county, or city, town, or irrigation district, or the inhabitants thereof, shall be fixed annually, by the Board of Supervisors, or city and county, or City or Town Council, or other governing body of such city and county, or city, or town, or irrigation district, by ordinance or otherwise, in the manner that other ordinances or legislative Acts or Resolutions are passed by such body, and shall continue in force for one year, and until new rates are established; but in establishing such rates, the Board, or other governing body by which they are established, shall take into consideration the cost of the construction and maintenance of the works by which the water is supplied, and the rates so established shall be such as will guarantee to the person, company, or corporation so supplying water, a net return of at least seven per cent per annum upon the amount invested in the construction and maintenance of such works. Such ordinances or resolutions shall be passed in the month of February of each year, and take effect on the first day of July thereafter. Any Board or *body failing to pass the necessary ordinances or resolutions, fixing water rates, where necessary*, within such time, shall be subject to peremptory process, to compel action, at the suit of any party interested, and shall be liable to such further processes and penalties as the Legislature may prescribe. Any person, company, or corporation, collecting water rates in any city and county, city, town, or irrigation district in this State, otherwise than as so established, shall forfeit the franchise of such person, company, or corporation, to the city and county, or city, town, or irrigation district from which the same are collected for the public use.

Read third time.

CALL OF THE HOUSE.

Mr. Munday moved a call of the House.

So ordered.

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

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Long, Loud, Lovell, May, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Heath moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then being upon the passage of Constitutional Amendment No. 3.

The roll was called, and the Constitutional Amendment passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Deveny, DeWitt, Dooling, Edwards, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Hunt, Kalben, Long, Loud, Lovell, May, McGlashan, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Ward of San Francisco, Weaver, Whitcomb, Woodward, Yule, and Mr Speaker—56.

NOES—Messrs. Davis, Douglas, Ellison, Firebaugh, Heywood, Hollister, Jones, Jordan, McJunkin, Porter, Watson of Alameda, Ward of Butte, and Wood—13.

Title approved.

MOTIONS.

Mr. Munday moved that the rules be suspended and that Assembly Bill No. 170 and Assembly Constitutional Amendment No. 3 be immediately transmitted to the Senate.

So ordered.

Mr. Firebaugh moved that Assembly Bill No. 313 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 313—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estates of deceased persons.

Read second time.

The Committee on Judiciary offered to amend, as follows: amend, by striking out the word "publication," in line twelve, of section one of the printed bill, and inserting in lieu thereof the word "service;" also, strike out all after the words "shall be," in line twenty-six, and all of lines twenty-seven, twenty-eight, twenty-nine, and thirty, and to and including the word "ordered," in line thirty-one, of section one, of printed bill, and insert in lieu thereof, commencing after the words "shall be," in line twenty-six, the following: "served in the same manner as a summons in a civil action;" and in line thirty-one, of section one, of printed bill, strike out the word "publication," and insert in lieu thereof the word "service;" also, strike out, in line thirty-seven, of section one, of the printed bill, the word "publication," and insert in lieu thereof the word "service;" also, strike out, in line forty-seven, of section one, of printed bill, the word "publication," and insert in lieu thereof the word "service;" also, in same line, substitute the word "such" for the word "said," and strike out the words "as aforesaid" in same line; also, strike out section two.

So ordered.

Mr. Firebaugh moved to amend as follows: strike out all in line ninety-nine, after the word "estate," and all of lines one hundred and one hundred and one.

So ordered.

Bill ordered engrossed, and to be read third time.

MOTION.

Mr. Carter of Contra Costa moved that Assembly Bill No. 169 be taken up for passage.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 169—An Act to amend section six hundred and thirty-four of the Penal Code, relative to fish and game.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Long, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Munday, Patterson, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—56.

NOES—None.

Title approved.

MOTION.

Mr. Goucher moved that Senate Bill No. 164 and Assembly Bill No. 350 be taken up for consideration, and that the rules be suspended and the bills be considered without going into Committee of the Whole.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grove.

Read second time.

The Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry offered to amend as follows: amend section one, by striking out the words "nine hundred," and inserting in place thereof the words "fifteen hundred."

So ordered.

Also, amend section one, by adding after the following words, "which tolls are now collected," the words "and *provided further*, that the sum of three thousand five hundred dollars shall be set apart of the appropriation herein made (as is directed in section two of this Act) for the purchase by the Commissioners above named of all that portion of the road owned by the Big Oak Flat and Yosemite Turnpike Road Company, lying within the Yosemite Grant, and known as the Big Oak Flat Road."

So ordered.

Ordered to be read third time.

Assembly Bill No. 350—An Act to authorize the construction and leasing of a hotel in the Yosemite Valley, and to appropriate money therefor.

The roll call was demanded by Messrs Hazard, Russ, and Edwards, on the question of reading the bill the second time.

The bill was ordered to be read the second time by the following vote:

AYES—Messrs. Ashe, Banbury, Black, Buhlert, Carter of Contra Costa, Clark, Coleman, Daley, Davis, Deveny, Douglas, Franklin, French, Goucher, Henley, Henry, Hollister, Hunt, Jones, Kalben, Long, May, McGlashan, McJunkin, McMurray, Morris, Munday, Patterson, Porter, Pyle, Sullivan, Torrey, Ward of San Francisco, Whitcomb, and Yule—35.

NOES—Messrs Allen, Almy, Barnes, Britt, Carter of Solano, Colby, Cook, Corcoran, Culver, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Gregory, Hazard, Heath, Heywood, Loud, Lovell, McLean, Mears, Pellet, Roseberry, Russ, Swayne, Van Voorhies, Watson of Alameda, Ward of Butte, Weaver, Wood, and Woodward—32.

Bill read second time.

The Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry offered to amend as follows: amend section one, line five, of printed bill, by striking out the word "six," and inserting in lieu thereof the words "not less than three."

So ordered.

Mr. Goucher moved to amend as follows: amend title, by striking out the word "furnishing," also, amend section one, line three, by striking out the words "and furnish."

So ordered.

Mr. Corcoran moved to amend as follows: insert a new section, to read as follows:

The privilege of keeping said hotel shall be let to the highest responsible bidder for such privilege.

Pending action, Mr. Weaver moved to strike out the enacting clause.

The roll call was demanded by Messrs. Coleman, Goucher, and Corcoran.

The motion was carried by the following vote:

AYES—Messrs. Almy, Barnes, Barnett, Britt, Carter of Solano, Colby, Cook, Corcoran, Culver, DeWitt, Dooling, Edwards, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Jordan, Loud, Lovell, McLean, Mears, Pellet, Roseberry, Russ, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Yule—36.

NOES—Messrs. Allen, Banbury, Black, Buhlert, Carter of Contra Costa, Clark, Coleman, Daley, Davis, Deveny, French, Henley, Hollister, Hunt, Jones, Kalben, Long, May, McGlashan, McJunkin, McMurray, Morris, Munday, Pyle, Sullivan, and Whitcomb—26.

NOTICES OF RECONSIDERATION.

Mr. Goucher gave notice that he would move to reconsider the vote whereby the enacting clause was stricken out of Assembly Bill No. 350.

Mr. Britt gave notice that he would move to reconsider the vote whereby Assembly Bill No. 295 was lost.

MOTION.

Mr. Munday moved that Assembly Bill No. 461 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 461—An Act to amend sections three thousand six hundred and sixty-four, three thousand six hundred and sixty-five, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue.

CALL OF THE HOUSE.

Mr. Jordan moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Coleman moved that further proceedings under the call of the House be dispensed with.

So ordered.

REQUEST.

During the discussion of the question of the bill being read the second time, Mr. May used the following language: "Of all the infamous bills I have had the unhappiness to hear read, this is the worst."

Mr. Munday requested that the language be taken down, which was done by the Clerk.

MOTIONS.

Mr. Jordan moved that the session be extended for one half hour.

So ordered.

Mr. Walrath moved the previous question.

So ordered.

The question then being on ordering the bill read second time, the roll call was demanded by Messrs. Munday, Henley, and Hazard.

The bill was refused second reading by the following vote:

AYES—Messrs. Allen, Ashe, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Corcoran, DeWitt, Dooling, Edwards, Ellison, Gregory, Hazard, Heath, Henley, Henry, Hollister, McLean, Moffitt, Munday, Patterson, Pellet, Reeves, Ward of Butte, Weaver, and Woodward—29.

NOES—Messrs. Banbury, Barnes, Buhlert, Colby, Culver, Daley, Davis, Deveny, Douglas, Firebaugh, Franklin, French, Goucher, Heywood, Hunt, Jones, Jordan, Kalben, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Porter, Pyle, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of San Francisco, Whitcomb, Wood, Yule, and Mr Speaker—39.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 25, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Douglas, Edwards, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

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

MOTION.

Mr. Munday moved that the special order for this hour be postponed until after the order of business.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 510—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Assembly Bill No. 258—An Act to amend section four thousand four hundred and eight of the Political Code, relating to the powers of the Common Councils of cities.

Assembly Bill No. 523—An Act to authorize the commitment of persons to House of Correction.

Assembly Bill No. 349—An Act to provide for the payment of the claim of William Saunders.

Assembly Bill No. 484—An Act to amend section two thousand six hundred and eighty-seven of an Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two, in said Code, relative to roads and highways.

Assembly Bill No. 481—An Act to amend section two thousand three hundred and forty-nine of the Political Code.

Assembly Bill No. 297—An Act to amend the Code in relation to the taxation of ferryboats and all water crafts.

Assembly Bill No 504—An Act to create the County of Los Alamos, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and funds for its support by the issue of bonds or otherwise, and for this purpose to provide for taking the census of Santa Barbara County.

Assembly Bill No. 489—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties.

Assembly Bill No. 313—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estate of deceased persons.

DEVENY, Chairman.

ON SILK CULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1885.

MR. SPEAKER: Your Committee on Silk Culture, to whom was referred Assembly Bill No 561—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend the passage of the substitute.

G. W. WATSON, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No 540—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. W. T. CARTER, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 309—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ALLEN, Chairman.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Senate Bill No. 74—An Act entitled "An Act to provide for the future management of the State asylums for the insane"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WHITCOMB, Chairman.

RESOLUTIONS.

By Mr. French:

Resolved, That the papers relating to silk interests and culture in this State herewith presented be and the same are hereby ordered printed for the information of the people of the State and the members of this Assembly.

Referred to Committee on Public Printing.

INTRODUCTION OF BILLS.

The following bills were, by unanimous consent, allowed to be introduced and referred as follows:

By Mr. Colby: Assembly Bill No. 563—An Act to restrict the use of prison labor in this State.

Referred to Committee on Labor and Capital.

By Mr. Jordan: Assembly Bill No. 564—An Act to amend section one thousand two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the change of names.

Referred to Committee on Education.

Also, Assembly Bill No. 565—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporation.

Referred to Committee on Education.

By Mr. Munday: Assembly Bill No. 566—An Act to amend "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Referred to Committee on Judiciary.

By Mr. McJunkin: Assembly Bill No. 567—An Act to amend title thirteen, part one, of the Penal Code, by adding thereto a new section, numbered five hundred and thirty-seven, making it a felony for any person to sell, barter, mortgage, or dispose of any interest or pretended interest, in any water right, ditch, or canal, before procuring a valid title to the same.

Referred to Committee on Crimes and Penalties.

By Mr. May: Assembly Bill No. 568—An Act to amend title five, chapter one, of the Political Code, by adding thereto a new article, to be known as article seven.

Referred to Committee on State Hospitals.

By Mr. Reeves: Assembly Bill No. 569—An Act to amend section two hundred and sixty-one of the Penal Code, pertaining to rape.

Referred to Committee on Judiciary.

By Mr. McMurray: Assembly Bill No. 570—An Act to institute and sustain a Labor Directory and Intelligence Bureau in the State of California.

Referred to Committee on Labor and Capital.

By Mr. Clark: Assembly Bill No. 571—An Act to allow mileage to Sheriffs for conveying prisoners to State Prisons, and insane persons to the Insane Asylums, in lieu of per diem and expenses.

Referred to Committee on Mileage.

RECONSIDERATION.

Mr. Goucher moved to reconsider the vote whereby the enacting clause was stricken out of Assembly Bill No. 350—An Act to authorize the construction and leasing of a hotel in the Yosemite Valley, and to appropriate money therefor.

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

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Clark, Coleman, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, French, Goucher, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Long, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Reeves, Sullivan, Swayne, Torrey, Watson of El Dorado, Ward of San Francisco, Whitcomb, Wood, Yule, and Mr. Speaker—49.

NOES—Messrs. Barnett, Colby, DeWitt, Dooling, Ellison, Firebaugh, Gregory, Hazard, Henry, Heywood, Loud, Lovell, Russ, Van Voorhies, Watson of Alameda, Ward of Butte, and Woodward—17.

Ordered engrossed, and to be read third time.

SPECIAL ORDER.

The hour for the consideration of the special order—Senate Bill No. 20—An Act to require the payment of certain premiums to counties and cities and counties, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums—having arrived, it was taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Buhlert, Carter of Solano, Clark, Coleman, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Hollister, Hunt, Hussey, Jones, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of El Dorado, Ward of San Francisco, Whitcomb, Yule, and Mr. Speaker—52

NOES—Messrs Barnett, Britt, Carter of Contra Costa, Colby, Cook, Edwards, Heath, Jordan, Reeves, Van Voorhies, Watson of Alameda, Ward of Butte, Weaver, and Wood—14.

Title approved.

MOTION.

Mr. Watson of El Dorado moved that Assembly Bill No. 315 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 315—An Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to town lands granted to the unincorporated towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon public lands," approved March 2, 1867, approved March 13, 1868.

Read first time, and ordered to second reading.

MOTION.

Mr. Hazard moved that Assembly Bill No. 472 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 472—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, to relieve said Court from the overburdened condition of its calendar, and to provide for the compensation of said Commissioners.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, French, Goucher, Gregory, Hazard, Heath, Henley, Hussey, Jones, Jordan, Kalben, Long, Lovell, McDonald, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—51.

NOES—Messrs. Barnett, Firebaugh, Loud, May, Van Voorhies, and Watson of Alameda—6.

Title approved.

MOTION.

Mr. McMurray moved that Assembly Bill No. 448 be taken up for consideration.

So ordered.

Mr. Lovell moved that the rules be suspended, and that Assembly Bill No. 448 be considered without going into Committee of the Whole.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 448—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

Read second time, ordered engrossed, and to be read third time.

MOTION.

Mr. Jordan moved that Assembly Bills Nos. 300, 303, 301, 445, 486, 487, 444, and 253 be taken up for consideration.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 300—An Act to amend section one thousand seven hundred and seventy-two of the Political Code.

Read second time.

Mr. Corcoran moved to amend as follows: strike out, in section one, after the words "method of teaching," the words "and practical entomology."

Lost.

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 303—An Act to amend section one thousand

seven hundred and eighty-eight of the Political Code of the State of California, relating to the election of City Boards of Examination.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 301—An Act to amend section one thousand six hundred and sixty-five of the Political Code.

Read second time.

The Committee on Education offered to amend as follows: insert, in section one, after the words "book-keeping," the words "mechanical drawing."

So ordered.

Bill ordered engrossed, and to be read third time.

FIRST READING OF BILLS.

Assembly Bill No. 445—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section one thousand five hundred and eight, fixing the mileage to be allowed to the Board of Trustees of the State Normal School while attending the meetings of the Board.

Read first time, and ordered to second reading.

Assembly Bill No. 444—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section one thousand five hundred and nine, relating to the branch State Normal School of California.

Read first time, and ordered to second reading.

Assembly Bill No. 486—An Act to amend section one thousand five hundred and twenty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, fixing the powers and duties of the State Board of Education.

Read first time, and ordered to second reading.

Assembly Bill No. 487—An Act to amend section one thousand four hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the State Normal School.

Read first time, and ordered to second reading.

SECOND READING OF BILLS.

Assembly Bill No. 253—An Act to provide for the organization of cities having a population of over three thousand inhabitants and not exceeding ten thousand, into separate school districts, for the election therein of Boards of Education, and to prescribe their powers and duties.

Read second time.

Mr. Weaver moved to amend as follows: on page three, section four, line three, between the words "shall" and "be," insert the word "thereafter;" also, on line four, between the words "for" and "the," insert the words "such meeting by."

So ordered.

Mr. Weaver moved to amend as follows: strike out, in section five, the words "First—To employ a Superintendent of Schools, to fix his compensation at a sum not to exceed twelve hundred dollars per annum, and to prescribe his duties, and who shall also act as and per-

form the duties of Secretary of the Board;" also, renumber each succeeding subdivision accordingly.

So ordered.

Mr. Weaver moved to amend as follows: substitute for section fourteen, the following: .

No person is eligible to become a member of the Board of Education, unless he be a resident of said city for at least one year next preceding the date of his election.

So ordered.

Bill ordered engrossed, and to be read third time.

MOTION.

Mr. Jordan moved to take up Assembly Bills Nos. 435 and 443 for first reading.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No 435—An Act to amend section one thousand seven hundred and ninety-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the grading of city certificates by City Boards of Examination.

Read first time, and ordered to second reading.

Assembly Bill No. 443—An Act to amend section one thousand four hundred and ninety of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the meeting of the Board of Trustees of the State Normal School.

Read first time, and ordered to second reading.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred the question whether the fifty days referred to in section two, article four, of the Constitution, have expired—beg leave to report that in their opinion the twenty-third day of February, 1885, was the fiftieth day of the twenty-sixth session of the Legislature, within the meaning of said article and section, and that no bill can now be introduced without the consent of two thirds of the members of the Assembly.

ELLISON, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, CAL., February 25, 1885.

To the Assembly of the State of California

MR SPEAKER: I respectfully transmit herewith a memorial from a committee appointed by the Encampment of the Department of California, Grand Army of the Republic, requesting an appropriation to aid in defraying the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State, in the year A D 1886.

After due consideration of the matter, I am convinced that aid should be extended to this object In addition to the patriotic sentiments which such a gathering would inspire in the hearts of our people, I believe that it would be of incalculable benefit to our commonwealth in disseminating a knowledge of the resources of this State, and its advantages as a place of residence, thus promoting a much needed immigration of desirable citizens.

I therefore respectfully recommend an appropriation of twenty-five thousand dollars for the purposes indicated in the memorial.

GEORGE STONEMAN, Governor.

SACRAMENTO, CALIFORNIA, February 25, 1885.

To his Excellency GEORGE STONEMAN, *Governor of the State of California:*

SIR: The undersigned, a committee appointed by the organization known as the Department of California, Grand Army of the Republic, respectfully represent: That we have been instructed to apply to the Legislature of this State for an appropriation to aid in defraying the expenses of a public nature incident to the holding of the National Encampment of the Grand Army of the Republic in the State of California, in the year 1886. As reasons for making said appropriation, we respectfully submit the following:

The Grand Army of the Republic is an organization having a membership of nearly four hundred thousand ex-soldiers and sailors of the Union armies, and exceeding in number on this coast of four thousand three hundred. We believe that such a representation could be secured from this organization as would be of great advantage to the whole State, bringing as it would many thousands of people from other States of the Union, a large number of whom would undoubtedly become permanent residents. To accomplish this purpose will require the expenditure of a larger sum of money than could be raised by private contribution.

The State of Maryland appropriated thirty thousand dollars for the purpose of securing the Encampment at Baltimore, and Colorado made an appropriation of twenty-three thousand dollars to assist in defraying the expenses of the Encampment held at Denver. Other States are now offering inducements to secure the holding of the National Encampment of 1886 within their borders by assuring large appropriations for this purpose

An invitation to hold the National Encampment of 1886 in California has been extended by the Department Encampment of California to the National Encampment, which convenes in Portland, Maine, in June next, at which time the question as to where said Encampment will be held is to be determined.

We already have the assurance of very advantageous facilities from all lines of transportation in the way of greatly reduced passenger rates, and, with an appropriation of twenty-five thousand dollars from this State, we will be able to successfully carry out our plans.

We therefore respectfully urge upon you, as the Chief Executive of this State, to assist us by recommending the Legislature to make such appropriation.

The fact that the Department Encampment of California did not convene until the eighteenth instant, closing its session on Saturday last, is the reason this memorial could not be sooner presented.

Respectfully,

R. H. WARFIELD,
T. H. GOODMAN,
C. MASON KINNE,
CHARLES E WILSON,
JAMES A. WAYMIRE,
B. O. CARR,
WALTER H. HOLMES,
SAMUEL W. BACKUS,
W. H. SEAMANS,
Committee.

INTRODUCTION OF A BILL.

The following bill was, by unanimous consent, allowed to be introduced:

By Mr. Loud: Assembly Bill No. 572—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State.

MOTION.

Mr. McJunkin moved that the rules be suspended, and that Assembly Bill No. 572 be taken up for first reading.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 572—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State.

Read first time, ordered to second reading, and to be placed on the special file.

MOTION.

Mr. Jones moved that Assembly Bill No. 112 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 112—An Act for the relief of John Hoagland and others.

Read second time.

The Committee on Judiciary offered a substitute, which was read, amended, and adopted.

Mr. Jones moved to amend as follows: strike out the present title, and insert thereof as title of the bill, the following:

An Act to enable John Hoagland, James Reid, Mrs. Rebecca C. Hoagland, George Cooper, William B. Todhunter, Mrs Mary W. G. Van Arsdall, Henry Lienberger, Christopher Green, and Charles Tramor, to sue the State of California.

So ordered.

Ordered engrossed, and to be read third time.

RECONSIDERATION.

Mr. McJunkin moved to reconsider the vote whereby Assembly Bill No. 171 was passed.

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

So ordered.

SPECIAL FILE—THIRD READING OF BILL.

Assembly Bill No. 483—An Act to amend an Act entitled "An Act to establish a Penal Code," by amending section one thousand and forty-six thereof, relating to forming juries in criminal causes.

CALL OF THE HOUSE.

Mr. Hussey moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Porter, Pyle, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Daley moved that further proceedings under the call of the House be dispensed with.

So ordered.

MOTION.

Mr. Jones moved that the bill be referred to a select committee of one, to amend as follows: amend section one, line ten, by adding

thereto the following: "*provided*, that the provisions of this section providing for the issuance of a special venire to a Sheriff of an adjoining county to summons jurors, shall not apply to any criminal action now pending in the Superior Court."

Lost on a division.

The bill having been read third time, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Barnes, Barnett, Black, Britt, Buhlert, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Goucher, Gregory, Hazard, Hunt, Hussey, Johnson, Jones, Kalben, Lafferty, Long, McDonald, McLean, McMurray, Moffitt, Morris, Munday, Sullivan, Torrey, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, and Whitcomb—46.

NOES—Messrs. Banbury, Carter of Contra Costa, Edwards, Ellison, Firebaugh, Heath, Henry, Hollister, Jordan, Loud, Lovell, May, McGlashan, McJunkin, Mears, Porter, Pyle, Reeves, Russ, Swayne, Van Voorhies, Walrath, Wood, Woodward, and Mr. Speaker—25.

Title approved.

Assembly Constitutional Amendment No. 7—Proposed amendment to article four, section two, of the Constitution, relative to the legislative department:

The Legislature of the State of California, at its twenty-sixth session, commencing on the first Monday after the first day of January, A. D. 1885, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby propose that article four, section two, of the Constitution of the State of California, be amended so as to read as follows:

SEC. 2. The sessions of the Legislature shall commence at twelve o'clock M. on the first Monday after the first day of January next succeeding the election of its members, and, after the election held in the year 1880, shall be biennial, unless the Governor shall, in the interim, convene the Legislature by proclamation. No pay shall be allowed to members for a longer time than one hundred days. And no bill shall be introduced in either House after the expiration of ninety days from the commencement of the session, without the consent of two thirds of the members thereof.

Read third time.

The roll was called, and Constitutional Amendment No. 7 passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Munday, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—60.

NOES—Messrs Black, Corcoran, Henry, Mears, Watson of El Dorado, and Weaver—6.

Title approved.

Senate Bill No. 114—An Act to provide for a sidewalk for the State Capitol grounds, and to appropriate money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Long, Loud, Lovell, May, McDonald, McGlashan, Mears, Moffitt, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, Yule, and Mr. Speaker—60.

NOES—None.

Title approved.

Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grove.

Passed on file.

Senate Bill No. 113—An Act to provide for the completion of the State Capitol fence, and to appropriate money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Douglas, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Porter, Reeves, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of El Dorado, Weaver, Wood, Woodward, Yule, and Mr. Speaker—57.

NOES—Mr. Edwards—1.

Title approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bill No. 350—An Act to authorize the construction and leasing of a hotel in the Yosemite Valley, and to appropriate money therefor.

Assembly Bill No. 448—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

DEVENY, Chairman.

MOTION.

Mr. Yule moved that Assembly Bills Nos. 404 and 405 be taken up for consideration.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 404—An Act to amend section one thousand four hundred and ninety of the Code of Civil Procedure, in relation to the notice to creditors in probate proceedings.

Read first time, and ordered to second reading.

Assembly Bill No. 405—An Act to amend section one thousand four hundred and sixty-nine of the Code of Civil Procedure.

Read first time, and ordered to second reading.

MOTION.

Mr. Walrath moved that Assembly Bill No. 324 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 324—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand two hundred and sixty-eight, relating to escheats.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—57.

NOES—None.

Title approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 459—Entitled "An Act for the relief of Thomas W. Lathrop, ex-Sheriff of the County of San Mateo"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SWAYNE, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 244—An Act to amend section three thousand four hundred and ninety-eight of the Political Code—recommend passage of substitute herewith.

ELLISON, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 52—An Act to provide for the erection of buildings for the custody of insane criminals and persons charged with crime, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No. 562—An Act to provide for the grading of that portion of N Street, between Tenth and Thirteenth, in the City of Sacramento, adjoining the State Capitol grounds, and to provide for the payment of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, beg leave to report that they have visited the Insane Asylum, at Stockton, and the State Prison, at San Quentin, and are entitled to mileage as follows: Messrs. Davis, May, Ward, Heywood, Watson, Van Voorhies, Buhlert, Kalben, Sullivan, and Clerk Nichols, from Sacramento to Stockton and return, and from Sacramento to San Quentin and return, each two hundred and eighty-eight miles.

DAVIS, Chairman.

Referred to the Committee on Mileage.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.

MOTION.

Mr. Hunt moved that Assembly Bill No. 478 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 478—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending

section one thousand one hundred and ninety, relating to the payment of election rewards.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Coleman, Cook, Corcoran, Culver, Davis, Deveny, Douglas, Edwards, Firebaugh, French, Gregory, Heywood, Hollister, Hunt, Jordan, Kalben, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—53.

NOES—Messrs. Black, Colby, DeWitt, and Heath—4.

Title approved.

MOTION.

Mr. Morris moved that Assembly Bill No. 447 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 447—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and eighty-six, and seven hundred and eighty-nine of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, ordered engrossed, and to be read third time.

MOTION.

Mr. McLean moved that Assembly Bill No. 339 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 339—An Act to provide that no compensation shall be paid to the Mayors or members of the Common Council of cities containing less than ten thousand inhabitants.

Read second time, ordered engrossed, and to be read third time.

RESOLUTION—(OUT OF ORDER).

By Mr. Russ:

Resolved, That the General File be taken up on special order by the Assembly this evening at seven o'clock and thirty minutes, and that no bills be considered out of order during such evening session.

So ordered.

MOTION.

Mr. Cook moved that Assembly Bill No. 484 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 484—An Act to amend section two thousand six hundred and eighty-seven of an Act to repeal chapter two, of title

six, part three, of an Act of the Legislature of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two, in said Code, relative to roads and highways.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Heywood, Hunt, Hussey, Jones, Jordan, Kalben, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—59.

NOES—Messrs. Ashe, Dooling, Heath, Henley, Henry, Hollister, Johnson, Long, Van Voorhies, and Ward of Butte—10.

Title approved.

RECONSIDERATION.

Mr. Britt moved to reconsider the vote whereby Assembly Bill No. 295 was lost.

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

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Franklin, French, Goucher, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Kalben, Lafferty, Lovell, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Ward of San Francisco, Weaver, Wood, and Mr. Speaker—56.

NOES—Messrs. Ashe, Colby, Firebaugh, Gregory, Henley, Jordan, Long, May, McMurray, Munday, Reeves, Russ, Watson of Alameda, Watson of El Dorado, Ward of Butte, Whitcomb, and Woodward—17.

Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, so as to permit the sale of State school lands not suitable for cultivation, without requiring actual settlement thereon by the purchasers.

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

AYES—Messrs. Allen, Almy, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, Franklin, French, Goucher, Heath, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Long, Lovell, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Wood, and Mr. Speaker—54.

NOES—Messrs. Ashe, Banbury, Dooling, Firebaugh, Gregory, Hazard, Henley, Hussey, Jordan, May, McLean, Munday, Reeves, Russ, Watson of Alameda, Ward of Butte, and Woodward—16.

Title approved.

MOTION.

Mr. Almy moved that Senate Bill No. 16 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of an Act to establish a Political Code, approved March 12, 1872, relating to the formation of school districts.

Read second time, and ordered to be read third time.

MOTION.

Mr. Dooling moved that Assembly Bill No. 16 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 16—An Act to amend an Act entitled "An Act to create the County of San Benito, to establish the boundaries thereof, and to provide for its organization," approved February 12, 1874, providing for a change, and the establishment of the boundaries thereof, the same to include therein portions of the Counties of Fresno and Merced, and to provide for the payment of the proportions of the debts of said counties equitably chargeable to San Benito County.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—69.

NOES—None.

Title approved.

MOTION.

Mr. Heath moved that Assembly Bill No. 362 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 362—An Act authorizing the Board of Supervisors of any county, or any subdivision of a county, having a bonded debt, to refund such debt at a less rate of interest.

Read second time.

Mr. Heath moved to amend as follows: amend section one, by inserting, after the word "indebtedness," in line six, the words "or any part thereof."

So ordered.

Mr. Heath moved to amend as follows: amend section two, by inserting, after the word "bonds," in line three, the words "either by personal service or by publication for one month in the official county newspaper."

So ordered.

Bill ordered engrossed, and to be read third time.

MOTION.

Mr. Watson of Alameda moved that Senate Bill No. 118 be taken up for passage.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 118—An Act for the relief of Robert McKillican.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Franklin, French, Goucher, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Long, Loud, Lovell, May, McDonald, McJunkin, McMurray, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of San Francisco, Whitcomb, Yule, and Mr. Speaker—53.

NOES—Messrs. Corcoran, Firebaugh, Gregory, Hazard, Heath, Henley, Henry, Johnson, McGlashan, McLean, Mears, Reeves, Russ, Torrey, Van Voorhies, Watson of El Dorado, Ward of Butte, Weaver, Wood, and Woodward—20.

MOTION.

Mr. Firebaugh moved that Assembly Bill No. 302 be taken up for consideration.

So ordered.

Mr. Weaver moved that the rules be suspended, and that Assembly Bill No. 302 be considered without the House going into Committee of the Whole.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 302—An Act to provide for the publication of monthly crop and stock reports by the State Board of Agriculture.

Read second time.

Mr. Coleman moved to amend as follows: insert, in section five, after the word "thereof," the words "not to exceed one hundred and twenty-five dollars per month."

So ordered.

Mr. Coleman moved to amend as follows: strike out, in section five, wherever they occur, the words "five thousand," and insert in lieu thereof the words "two thousand five hundred."

So ordered.

Mr. Black moved to strike out the enacting clause.

The roll call was demanded by Messrs. Firebaugh, Lovell, and Hollister.

The enacting clause was ordered stricken out by the following vote:

AYES—Messrs. Ashe, Banbury, Barnes, Barnett, Black, Carter of Solano, Coleman, Culver, Dooling, Edwards, Franklin, Gregory, Hazard, Henley, Heywood, Hussey, Johnson, Jordan, Long, May, McGlashan, McJunkin, Mears, Moffitt, Morris, Munday, Pellet, Porter, Reeves, Russ, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, and Woodward—38.

NOES—Messrs. Allen, Almy, Britt, Buhlert, Carter of Contra Costa, Clark, Cook, Corcoran, Daley, Davis, Deveny, DeWitt, Firebaugh, French, Heath, Henry, Hollister, Hunt, Jones, Kalben, Lafferty, Loud, Lovell, McDonald, McLean, McMurray, Patterson, Pyle, Sullivan, Ward of San Francisco, Weaver, Whitcomb, and Mr. Speaker—33.

MOTION.

Mr. Corcoran moved that Assembly Bill No. 510 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 510—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Daley, Davis, DeWitt, Dooling, Firebaugh, Franklin, French, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Sullivan, Swayne, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—64.

NOES—None.

Title approved.

MOTION.

Mr. Munday moved that Assembly Bill No. 263 be taken up for consideration.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 263—An Act to amend sections seven hundred and sixty-four, seven hundred and seventy-one, seven hundred and seventy-three, and seven hundred and eighty-nine, and repeal seven hundred and fifty-eight of an Act to provide for the organization, incorporation, and government of municipal corporations.

Read second time.

The Committee on Municipal Corporations offered to amend as follows: strike out, in section four, line fourteen, the word "May," and insert in lieu thereof the word "March;" also, of the word "year," same section, insert the words "every tax due upon personal property shall be a lien upon the real property of the owner thereof from and after twelve o'clock M. of the first Monday of March of each year."

So ordered.

Also, insert, in section two, line nineteen, after the word "lines," the words "and electric light lines."

So ordered.

Bill ordered engrossed, and to be read third time.

MOTION.

Mr. Moffitt moved that Senate Bill No. 73 be taken up for passage.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 73—An Act to grant to Boards of Health, or Health Officers, in cities, and cities and counties, the power to regulate the

plumbing and drainage of buildings, and to provide for the registration of plumbers.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henley, Hollister, Hunt, Hussey, Johnson, Jones, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—66.

NOES—None.

Title approved.

The Speaker requested that Assembly Bill No. 258 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 258—An Act to amend section four thousand four hundred and eight of the Political Code, relating to the powers of the Common Councils of cities.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Davis, Deveny, Douglas, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Jones, Lafferty, Long, Lovell, May, McGlashan, McJunkin, McLean, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Swayne, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Whitcomb, Wood, Woodward, Yule, and Mr Speaker—52.

NOES—Messrs. Daley, Franklin, Hussey, Kalben, McDonald, McMurray, Sullivan, and Ward of San Francisco—8.

Title approved.

MOTION.

Mr. Allen moved that Assembly Bill No. 502 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 502—An Act to promote drainage.

Read second time, ordered engrossed, and to be read third time.

MOTION.

Mr. Coleman moved that Assembly Bill No. 195 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 195—An Act to amend section two thousand six hundred and forty-three, of chapter ten, of an Act of the Legislature, approved February 28, 1883, relating to roads and highways.

Read second time.

The Committee on Roads and Highways offered to amend as follows:

insert, in subdivision nine, of section one, after the word "apportioned," the words "by the Auditor."

So ordered.

Mr. McLean moved to amend as follows: strike out, in section one, the words "entered in their minutes."

Lost.

Bill ordered engrossed, and to be read third time.

WITHDRAWAL OF BILL.

By permission of the House, Mr. Corcoran withdrew Assembly Bill No. 87—An Act to amend section two thousand six hundred and forty-three of the Political Code, relating to roads and highways.

MOTION.

Mr. Edwards moved that Assembly Bill No. 428 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 428—An Act to create the County of Orange, to establish the boundaries thereof, and to provide for its organization.

The Committee on County and Township Boundaries offered a substitute, which was read and adopted.

CALL OF THE HOUSE.

Mr. Edwards moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Firebaugh moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then being on ordering the bill engrossed, and to be read third time, the roll call was demanded by Messrs. Hazard, Moffitt, and Weaver.

It was so ordered by the following vote:

AYES—Messrs. Allen, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Cook, Corcoran, Davis, Deveny, Dooling, Edwards, Ellison, Firebaugh, Franklin, French, Gregory, Heath, Henry, Heywood, Hollister, Johnson, Jones, Jordan, Lafferty, Long, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Morris, Patterson, Pellet, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, and Wood—47.

NOES—Messrs. Almy, Ashe, Banbury, Black, Carter of Solano, Clark, Coleman, DeWitt, Hazard, Henley, Kalben, McDonald, Moffitt, Porter, Pyle, Reeves, Russ, Woodward, and Mr. Speaker—18.

MOTION.

Mr. Woodward moved that Assembly Concurrent Resolution No. 17 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Concurrent Resolution No. 17—Relative to the Mexican treaty.

Read, and adopted.

MOTION.

Mr. Long moved that Assembly Bill No. 425 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 425—An Act to amend an Act entitled "An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove," approved April 15, 1880.

Read second time.

Mr. Goucher moved to amend as follows: strike out, in section one, line seven, the word "fifteen," and insert in lieu thereof the word "thirty."

So ordered.

Mr. Goucher moved to amend as follows: in section two, after the word "inspection," in line seventeen, add the following: "all moneys received by the said Commissioners from whatever source shall be deposited in the State Treasury, and there known as the Yosemite Fund, and the State Treasurer shall pay out said fund only upon the warrants of the State Controller; all disbursements of said moneys shall be in the following manner: the said Commissioners shall draw their warrants upon the State Controller, and the Controller shall draw his warrant upon the State Treasurer, and the Treasurer shall thereupon pay the same. It shall be unlawful for the Commissioners to disburse or cause to be disbursed any such moneys in any manner different from that specified in this Act."

So ordered.

Mr. Goucher moved to amend, by adding a new section, to read as follows:

SEC. 3. This Act shall take effect immediately.

So ordered.

Bill ordered engrossed, and to be read third time.

MOTION.

Mr. Britt moved that Assembly Bill No. 329 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 329—An Act in relation to lawful fences.

Read second time, ordered engrossed, and to be read third time.

MOTION.

Mr. Jordan moved that Assembly Bill No. 467 be taken up for first reading.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 467—An Act to limit and fix the rate of gas in all cities within the State of California having a population of one hundred thousand or more.

Read first time, and ordered to second reading.

MOTION.

Mr. Pyle moved that Senate Substitute for Senate Bill No. 33 be taken up for first reading.

So ordered.

FIRST READING OF BILL.

Senate Substitute for Senate Bill No. 33—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relative to the sale and use of opium, or any preparation thereof.

The roll call was demanded on first reading, by Messrs. French, Henley, and Kalben.

The roll was called, and the bill was ordered read the first time by the following vote:

AYES—Messrs. Almy, Barnes, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Davis, DeWitt, Dooling, Firebaugh, Franklin, Gregory, Hazard, Heath, Hollister, Johnson, Jones, Lafferty, Loud, McLean, McMurray, Porter, Pyle, Reeves, Russ, Sullivan, Watson of Alameda, Ward of Butte, Ward of San Francisco, and Whitcomb—31.

NOES—Messrs. Allen, Ashe, Banbury, Barnett, Black, Britt, Colby, Deveny, Douglas, French, Henley, Henry, Hunt, Jordan, Long, Lovell, May, McGlashan, McJunkin, Mears, Moffitt, Morris, Van Voorhies, Walrath, Watson of El Dorado, Woodward, and Mr. Speaker—27.

Bill read first time, and ordered to second reading.

Mr. Pyle moved that Substitute for Senate Bill No. 33 be placed on special file.

Lost.

MOTION.

Mr. Watson of El Dorado moved that Assembly Bill No. 299 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 299—An Act to add a new section to the Penal Code, to be known as section three hundred and ten, relating to selling liquor to patients in county hospitals.

Read second time.

The Committee on Judiciary offered to amend as follows: insert, in section one, line four, after the word "who," the words "knowingly and willingly."

So ordered.

Bill ordered engrossed, and to be read third time.

MOTION.

Mr. Loud moved that Assembly Bill No. 481 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 481—An Act to amend section two thousand three hundred and forty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public ways and navigable streams.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Carter of Solano, Clark, Cook, Corcoran, Davis, Deveny, DeWitt, Dooling, Douglas, Gregory, Hazard, Heath, Hollister, Hunt, Johnson, Jones, Jordan, Lafferty, Loud, Lovell, May, McGlashan, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Reeves, Sullivan, Swayne, Torrey, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Wood, Woodward, Yule, and Mr. Speaker—44.

NOES—Messrs. Barnett, Britt, Firebaugh, Henley, Henry, Long, Russ, Van Voorhies, and Ward of Butte—9.

Title approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly reëngrossed

Assembly Bill No 12—An Act appropriating forty thousand dollars for the purpose of the establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

Assembly Bill No. 300—An Act to amend section one thousand seven hundred and seventy-two of the Political Code.

Assembly Bill No. 303—An Act to amend section one thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to the election of City Boards of Examination.

Assembly Bill No. 301—An Act to amend section one thousand six hundred and sixty-five of the Political Code.

DEVENY, Chairman

MOTION.

Mr. Hazard moved that Assembly Bill No. 220 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 220—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-nine, one thousand one hundred and ninety-four, and one thousand one hundred and ninety-five, of title four, chapter two, of the Code of Civil Procedure, and to add four new sections thereto, to be known as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three.

Read second time.

The Committee on Judiciary moved to amend as follows: strike out, in section four, all after the word "advance," in line seven, and all of line eight.

So ordered.

Mr. Jordan moved to strike out the enacting clause.

Pending.

RECESS.

At five o'clock P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M.

Speaker Parks in the chair.

Quorum present.

MOTION.

Mr. Corcoran moved that the consideration of Assembly Bill No. 220 be resumed.

So ordered.

SECOND READING OF BILL—(RESUMED).

Assembly Bill No. 220—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-nine, one thousand one hundred and ninety-four, and one thousand one hundred and ninety-five, of title four, chapter two, of the Code of Civil Procedure, and to add four new sections thereto, to be known as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three.

The question being on the motion of Mr. Jordan to strike out the enacting clause, the roll call was demanded by Messrs. Hazard, McGlashan, and Jones.

The motion was lost by the following vote:

AYES—Messrs. Allen, Black, Carter of Contra Costa, Colby, Cook, Firebaugh, French, Goucher, Hollister, Jordan, Long, Loud, Lovell, May, Mears, Moffitt, Morris, Sullivan, Walrath, Watson of Alameda, Ward of San Francisco, Wood, and Mr. Speaker—23.

NOES—Messrs. Ashe, Banbury, Barnett, Britt, Carter of Solano, Clark, Corcoran, Culver, Davis, Deveny, DeWitt, Douglas, Franklin, Gregory, Hazard, Heath, Henley, Hussey, Jones, Kalben, McGlashan, McLean, McMurray, Munday, Porter, Russ, Van Voorhies, Watson of El Dorado, Ward of Butte, Weaver, Whitcomb, and Woodward—32.

MOTION.

Mr. Jordan moved a call of the House.

Lost.

The question then being on ordering the bill engrossed, and to be read third time, it was so ordered.

NOTICE OF RECONSIDERATION.

Mr. Jordan gave notice that he would move to reconsider the vote whereby Assembly Bill No. 220 was ordered engrossed, and to be read third time.

GENERAL FILE—THIRD READING OF BILL.

Assembly Bill No. 225—An Act to amend an Act to prevent hunting, etc., on inclosed lands.

Read third time.

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

AYES—Messrs. Allen, Ashe, Banbury, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Culver, Davis, Deveny, DeWitt, Douglas, Firebaugh, Goucher, Hazard, Henley, Henry, Hollister, Jones, Jordan, Long, Loud, Lovell, May, McGlashan, McLean, Mears, Morris, Munday, Porter, Roseberry, Russ, Walrath, Watson of Alameda, Ward of Butte, Wood, Woodward, and Mr. Speaker—39.

NOES—Messrs. Barnett, Cook, Corcoran, Dooling, Franklin, French, Gregory, Heath, Hussey, Kalben, Lafferty, McDonald, McMurray, Sullivan, Van Voorhies, Ward of San Francisco, Weaver, and Whitcomb—18.

NOTICE OF RECONSIDERATION.

Mr. Weaver gave notice that he would move to reconsider the vote whereby Assembly Bill No. 225 was lost.

MOTION.

Mr. McDonald moved a call of the House.

ADJOURNMENT.

At seven o'clock and fifty minutes P. M., on motion of Mr. DeWitt, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 26, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

Pending the reading of the Journal, Mr. Carter of Contra Costa moved that the further reading be dispensed with.

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Mr. Long was granted leave of absence for two days.
Mr. Cook was granted leave of absence for one day.
Mr. Hussey was granted leave of absence for three days.

PETITION.

By Mr. Watson of Alameda: From the Ladies' Silk Culture Society of California, relating to silk culture.
Referred to Committee on Silk Culture.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 112—An Act for the relief of John Hoagland and others.

Assembly Bill No. 339—An Act to provide that no compensation shall be paid to the Mayors or members of the Common Council of cities containing less than ten thousand inhabitants

Assembly Bill No. 299—An Act to add a new section to the Penal Code, to be known as section three hundred and ten, relating to selling liquor to patients in county hospitals.

Assembly Concurrent Resolution No. 17—Relative to the Mexican treaty.

Assembly Bill No. 329—An Act in relation to lawful fences.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1885.

MR SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 466—An Act to regulate insurance companies.

Also, Assembly Bill No. 468—An Act in relation to companies or corporations transacting fire, marine, or inland insurance in California.

Also, Assembly Bill No. 549—An Act to regulate the rate of charges upon telegraph lines, and to prevent extortion by owners of telegraph lines.

Also, Assembly Bill No. 257—An Act to prescribe the form of a policy of fire insurance to be used in California.

Also, Assembly Bill No. 399—An Act in relation to companies or incorporations transacting fire, marine, or inland insurance in California, and prescribing as to rate of dividend, liabilities of stockholders, transfer of stock, value of policy, provisions as to arbitration, and statement of assets.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass, Nos. 259 and 399, being so recommended by request of their author.

JONES, Chairman.

ON PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bills Nos. 532 and 533—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

C H. WARD, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1885.

MR. SPEAKER Your Committee on Mileage, to whom was referred Assembly Bill No. 571—An Act to allow mileage to Sheriffs for conveying prisoners to the State Prisons and insane persons to the Insane Asylums, in lieu of per diem and expenses—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LAFFERTY, Chairman.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Senate Bill No. 282—An Act to provide an additional asylum for the insane of the State of California—have

had the same under consideration, and respectfully report the same back, as amended, without recommendation.

WHITCOMB, Chairman.

ON STATE PRISONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1885.

MR. SPEAKER: The Committee on State Prisons has visited the State Prison at Folsom, and would respectfully report that the following members are entitled to mileage: Messrs. Almy, Watson of El Dorado, Black, and Clerk Morse.

Resolved, That the State Controller be hereby authorized to draw his warrant in favor of the following named members of the Committee on State Prisons, on their visit to Folsom Prison, twenty-two miles, in the sum of four dollars and forty cents each. Joseph Almy, J. F. Black, E. H. Watson, and clerk of committee

ALMY, Chairman.

Referred to the Committee on Mileage.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1885.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 503—*An Act to amend section three thousand seven hundred and thirty of an Act entitled* "An Act to establish a Political Code," approved March 12, 1872—recommend that it do pass.

Also, Senate Bill No. 133—An Act to limit the time in which State officers who are by law required to make monthly reports to the State Controller, may file said reports—respectfully recommend that it do pass.

ELLISON, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. French:

Resolved, That George Edwards be and he is hereby allowed one dollar per day, from the commencement of the session, for taking care of the desks and chairs of the House and seeing that the same are kept in good order and repair, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Colby:

Resolved, That G. O. Green be and he is hereby allowed the same pay as is allowed the clerk to the Sergeant-at-Arms, for five days' services performed at the opening of this session, for his assistance and instructions in getting the office in shape for the proper distribution of bills and other business connected therewith, the same to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

MOTION.

Mr. Heath moved that Senate Bill No. 282 be placed on the special file.

So ordered.

SPECIAL FILE—FIRST READING OF BILL.

Assembly Bill No. 398—An Act to repeal an Act entitled "An Act to divide the State into Senatorial Districts, and to provide for the election of Senators therein."

Read first time, and ordered to second reading.

THIRD READING OF BILL.

Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grove.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Clark, Coleman, Culver, Daley, Deveny, DeWitt, Edwards, Ellison, Franklin, French, Goucher, Heath, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Munday, Porter, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—56.

NOES—Messrs. Allen, Buhlert, Carter of Solano, Colby, Dooling, Firebaugh, Gregory, Loud, Mears, Pellet, Roseberry, and Ward of Butte—12.

Title approved.

RECONSIDERATION.

Mr. Weaver moved to reconsider the vote whereby Assembly Bill No. 225 was lost.

The roll was called, and the vote was reconsidered by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Culver, Ellison, Firebaugh, Franklin, Goucher, Gregory, Heath, Henry, Heywood, Hollister, Hunt, Jones, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Porter, Reeves, Roseberry, Russ, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—51.

NOES—Messrs. Black, Daley, Deveny, Dooling, Edwards, French, McDonald, Sullivan, Swayne, Van Voorhies, and Whitcomb—11.

Assembly Bill No. 225—An Act to amend an Act to prevent hunting, etc., on inclosed lands.

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

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Culver, Davis, Deveny, DeWitt, Douglas, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Loud, Lovell, May, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Pellet, Porter, Reeves, Roseberry, Russ, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—56.

NOES—Messrs. Black, Colby, Dooling, Edwards, McMurray, Sullivan, Swayne, and Whitcomb—8.

Title approved.

MOTION.

Mr. Munday moved that Assembly Bill No. 503 be taken up for consideration.

The roll call was demanded by Messrs. May, McLean, and Edwards.

It was so ordered, by the following vote:

AYES—Messrs. Allen, Ashe, Barnett, Black, Buhlert, Carter of Solano, Clark, Colby, Coleman, Corcoran, Culver, Davis, DeWitt, Dooling, Ellison, Firebaugh, Goucher, Gregory, Heath, Henley, Henry, Hollister, Hunt, Jones, Jordan, Lafferty, Loud, McLean, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Porter, Russ, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, and Ward of San Francisco—42.

NOES—Messrs. Almy, Banbury, Barnes, Carter of Contra Costa, Deveny, Edwards, Franklin, French, Long, Lovell, McJunkin, Reeves, Roseberry, Sullivan, Whitcomb, Wood, and Mr. Speaker—18.

FIRST READING OF BILL.

Assembly Bill No. 503—An Act to amend section three thousand seven hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read first time, and ordered to second reading.

MOTION.

Mr. Coleman moved to take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 25, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Amended Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.

Also, adopted Assembly Concurrent Resolution No. 22—Relative to placing General U. S. Grant on the retired list

Also, adopted Substitute for Senate Concurrent Resolution No. 3—Relative to directing the Governor to fix the compensation due Captain John Mullan in collections of claims.

Also, adopted Assembly Concurrent Resolution No. 6—Relative to viticultural industries.

Also, indefinitely postponed Assembly Concurrent Resolution No. 13—Relative to homestead settlers on public lands.

Also, that Assembly Bill No. 63—An Act to provide for the transfer of certain lands from the State to municipal corporations—was refused first reading.

Also, that the Senate has concurred in Assembly and all amendments to Senate Bill No. 20—An Act to require the payment of certain premiums to the fire departments of incorporated cities, cities and counties, and towns, by fire insurance companies not organized under the laws of the State of California, but doing business therein, and providing for the disposition of such premiums.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Concurrent Resolution No. 3 was read, and, on motion of Mr. Coleman, adopted, as follows:

SENATE CONCURRENT RESOLUTION NO. 3.

Relative to directing the Governor to fix the compensation for services rendered by Captain John Mullan in collections of claims due the State of California from the United States.

WHEREAS, The Governor and State Surveyor-General of this State, respectively, have heretofore appointed Captain John Mullan, of San Francisco, California, agent and attorney to represent the State of California before the proper authorities of the United States, at Washington, D. C., in the matter of the claims of the State of California against the United States, growing out of past Indian hostilities, and for interest on moneys heretofore expended by this State on account of military operations herein and borders hereof, and in recovering all land fees heretofore illegally paid to the United States by this State; and whereas, in pursuance of Concurrent Resolution No. 12, adopted February 26, 1881, and in pursuance of Assembly Joint Resolution No. 30, adopted March 9, 1872, James E. Hale and Thomas M. Nosler were duly appointed and commissioned agents on behalf of the State of California and the Governor thereof, by themselves and their duly constituted agents, to collect from the Government of the United States the cost, charges, and expenses properly incurred by the State of California for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the insurrection against the United States, and whereas, said James E. Hale and Thomas M. Nosler have duly constituted said Captain John Mullan their agent and attorney, in pursuance of the foregoing authority conferred on them in their names, places, and stead, to demand and receive all said moneys from said Government of the United States in and about the said premises, to act as their agent therein; therefore, be it

SECTION 1. *Resolved by the Senate of California, the Assembly concurring,* That the appointments so conferred upon Captain John Mullan by the Governor and Surveyor-General, respectively, are hereby ratified and confirmed, and the Governor of this State be and he is hereby authorized and directed to fix the compensation for the services by Captain John Mullan heretofore and that may be by him hereafter rendered, at twenty per cent of each of the sums or

claims that may be by him collected from the United States, and to pay to him such per cent out of the moneys that may be collected by him and paid to this State on account of each of the foregoing matters, respectively; *provided, however*, that this State shall not, in any event, become liable for any expenses, fees, and salaries of any nature whatever, other than such contingent commission.

SEC 2 That the proper State officers of the State of California be and they are hereby authorized and directed to deliver to Captain John Mullan, or to his authorized agent, all the original vouchers, certificates, and papers of every kind and nature relating to the claims of this State against the Government of the United States for or on account of each of the foregoing matters respectively, and, also, all Controllers' warrants that have been heretofore paid and canceled, and which may be needed to perfect any of the claims of this State against the United States represented by him.

SEC 3. The said State officers shall prepare, and take from Captain John Mullan, or from his authorized agent, a receipt in writing, bound in a book, same as they keep in their offices, for all such papers as aforesaid, and which shall show what the papers are in each case, the date thereof, by what Board of Examiners passed, the amount and date of the warrant, and in whose favor drawn.

The following Senate amendments to Assembly Bill No. 36 were considered and unanimously concurred in as follows: strike out section five; also, strike out of section nine, the words "this Act shall take effect from and after its passage, and."

SPECIAL FILE—(RESUMED)—THIRD READING OF BILLS.

Assembly Bill No. 523—An Act to authorize the commitment of persons to House of Correction.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Morris, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—57.

NOES—None.

Title approved.

Assembly Bill No. 489—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties.

Passed on the file.

Assembly Bill No. 350—An Act to authorize the construction and leasing of a hotel in the Yosemite Valley, and to appropriate money therefor.

Read third time.

CALL OF THE HOUSE.

Mr. Goucher moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Henley, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath,

Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Weaver moved that further proceedings under the call of the House be dispensed with.

Lost.

The Sergeant-at-Arms was directed to bring in the absent members.

The Sergeant-at-Arms presented at the bar of the House Mr. Ward, who was excused.

Mr. Jones moved that further proceedings under the call of the House be dispensed with.

So ordered.

PASSAGE OF ASSEMBLY BILL NO. 350.

The question then being upon the passage of Assembly Bill No. 350, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Clark, Coleman, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Franklin, French, Goucher, Henley, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Moffitt, Morris, Munday, Sullivan, Swayne, Walrath, Watson of El Dorado, Ward of San Francisco, Whitcomb, Wood, Yule, and Mr. Speaker—46.

NOES—Messrs. Almy, Barnett, Carter of Solano, Colby, Corcoran, DeWitt, Dooling, Ellison, Firebaugh, Gregory, Heath, Henry, Loud, McLean, Mears, Pellet, Porter, Reeves, Roseberry, Russ, Van Voorhies, Watson of Alameda, Ward of Butte, Weaver, and Woodward—25.

Title approved.

Assembly Bill No. 489—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties.

Read third time.

Mr. Ellison moved to refer Assembly Bill No. 489 to a select committee of one, to amend as follows: "strike out, in engrossed bill, the subdivision of counties of the twenty-seventh class, and renumber the following subdivisions accordingly."

So ordered, by unanimous consent.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Ellison a select committee to amend Assembly Bill No. 489.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1885.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No 489, with special instructions to amend as ordered by the House—would respectfully report that the instructions of the House have been carried out.

J. F. ELLISON.

The question then being upon the passage of the bill, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Clark, Colby, Coleman, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Franklin, French, Heath, Henley, Henry, Heywood, Hollister, Jones, Jordan, Kalben, Lafferty, Lovell, May, McGlashan, McLean, McMurray, Mears, Munday,

Patterson, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Walrath, Watson of El Dorado, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—53.
NOES—None.

Title approved.

SECOND READING OF BILLS.

Assembly Bill No. 126—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in office of the Adjutant-General for the thirty-fifth fiscal year.

The question being upon reading the bill second time, the roll call was demanded by Messrs. Jordan, Walrath, and Black.

The bill was refused second reading, by the following vote:

AYES—Messrs. Ashe, Banbury, Barnett, Black, Britt, Carter of Contra Costa, Clark, Corcoran, Daley, DeWitt, Dooling, Firebaugh, Franklin, Goucher, Gregory, Henley, Henry, Hunt, Kalben, Lovell, May, McDonald, McMurray, Patterson, Sullivan, Van Voorhies, Ward of Butte, Whitcomb, Woodward, and Mr. Speaker—30.
NOES—Messrs. Allen, Almy, Barnes, Buhlert, Carter of Solano, Colby, Culver, Davis, Deveny, Edwards, French, Hazard, Heath, Heywood, Hollister, Jones, Jordan, Lafferty, Loud, McGlashan, McJunkin, McLean, Mears, Pellet, Reeves, Roseberry, Russ, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, and Wood—34.

NOTICE OF RECONSIDERATION.

Mr. McLean gave notice that he would move to reconsider the vote whereby Assembly Bill No. 126 was refused second reading.

Assembly Bill No. 128—An Act making an appropriation for the deficiency in the appropriation for traveling expenses of the Attorney-General for the thirty-fifth fiscal year.

The question being upon reading the bill second time, the roll call was demanded by Messrs. May, Munday, and Dooling.

The bill was refused second reading, by the following vote:

AYES—Messrs. Ashe, Black, Britt, Buhlert, Carter of Contra Costa, Clark, Coleman, Corcoran, Deveny, DeWitt, Dooling, Firebaugh, Franklin, French, Goucher, Gregory, Henley, Hunt, May, McDonald, McMurray, Munday, Patterson, Whitcomb, Woodward, and Mr. Speaker—26.
NOES—Messrs. Allen, Almy, Banbury, Barnes, Carter of Solano, Colby, Culver, Davis, Edwards, Ellison, Hazard, Heath, Heywood, Hollister, Jones, Jordan, Lafferty, Loud, Lovell, McGlashan, McJunkin, McLean, Mears, Pellet, Porter, Reeves, Roseberry, Russ, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, and Wood—35.

Assembly Bill No. 129—An Act making an appropriation for the deficiency in the appropriation for transportation of the insane for the thirty-fifth fiscal year.

The question being upon reading the bill second time, the roll call was demanded by Messrs. May, Hazard, and Henley.

The bill was ordered read second time, by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Clark, Colby, Coleman, Corcoran, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hunt, Lovell, May, McDonald, McLean, Munday, Patterson, Reeves, Roseberry, Sullivan, Swayne, Van Voorhies, Watson of Alameda, Ward of Butte, Whitcomb, Woodward, and Mr. Speaker—43.
NOES—Messrs. Barnes, Carter of Solano, Culver, Davis, Heywood, Hollister, Jones, Jordan, Lafferty, Loud, McGlashan, McJunkin, McMurray, Mears, Pellet, Porter, Russ, Walrath, Ward of San Francisco, Weaver, and Wood—21.

Bill read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 130—An Act making an appropriation for the

deficiency in the appropriation for cleaning and transportation of arms, etc., for the thirty-fifth fiscal year.

Withdrawn by consent of the House.

Assembly Bill No. 131—An Act making an appropriation for the deficiency in the appropriation for support of the State Insane Asylum at Stockton for the thirty-fifth fiscal year.

The question being upon the second reading of the bill, the roll call was demanded by Messrs. May, Buhlert, and Lovell.

The bill was ordered read second time, by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Deveny, DeWitt, Dooling, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Henley, Hunt, Lovell, May, McDonald, McMurray, Munday, Patterson, Reeves, Sullivan, Van Voorhies, Watson of Alameda, Ward of Butte, Whitcomb, and Woodward—37.

NOES—Messrs. Allen, Barnes, Culver, Davis, Edwards, Heath, Heywood, Hollister, Jones, Jordan, Lafferty, Loud, McGlashan, McJunkin, McLean, Mears, Pellet, Porter, Roseberry, Russ, Walrath, Ward of San Francisco, Weaver, Wood, and Mr. Speaker—26.

Read second time, ordered engrossed, and to be read third time.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Barnes:

WHEREAS, The Postmistress of the Assembly, Mrs. L. C. Stratton, has faithfully and efficiently performed the duties of Mailing Clerk of the Assembly, and has at all times labeled, rolled, and attended to the wrapping and mailing of papers, books, pamphlets, etc., when called upon by the members to do so, and as no compensation has been provided for the duties that have thus devolved upon the Postmistress; therefore, be it

Resolved, That the Postmistress of the Assembly be and is allowed an extra per diem of three dollars, commencing at the beginning of the session and continuing to the end of the session, and the Controller is hereby authorized and directed to draw his warrant on the proper fund, in favor of Mrs. L. C. Stratton, for the amount.

Referred to Committee on Attachés and Employés.

By Mr. Culver:

WHEREAS, It has been the custom for many sessions of the Assembly of this State to employ one Page, whose duties were to receive bills from the Sergeant-at-Arms, and distribute them to the State officers; and whereas, during the present session of the Assembly no Page for such necessary purpose was employed, but in lieu thereof the Porter in the Sergeant-at-Arms' rooms was utilized in the performance of said indispensable labor; now, therefore, be it

Resolved, That the Porter in the Sergeant-at-Arms' rooms be and is hereby allowed the sum of sixty dollars during the session for such extra services rendered, and that the Controller of State be and is hereby authorized and requested to draw his warrant in favor of John Barber, Porter to Sergeant-at-Arms, for the said sum, and the Treasurer of State is authorized and empowered to pay the same.

Referred to Committee on Attachés and Employés.

SPECIAL FILE—(RESUMED)—SECOND READING OF BILLS.

Assembly Bill No. 132—An Act making an appropriation for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the thirty-fifth fiscal year.

The roll call, on the question of second reading, was demanded by Messrs. May, Barnett, and Henley.

The roll was called, and the bill was refused second reading by the following vote:

AYES—Messrs. Ashe, Barnett, Black, Carter of Solano, Colby, Coleman, Cook, Corcoran, Deveny, Dooling, Goucher, Gregory, Hazard, Henley, May, McDonald, McGlashan, Moffitt, Morris, Munday, Reeves, Watson of El Dorado, Wood, Woodward, and Mr. Speaker—25.

NOES—Messrs. Allen, Banbury, Barnes, Britt, Culver, Davis, Ellison, Firebaugh, Heath, Henry, Hollister, Jones, Jordan, Lafferty, Loud, Lovell, McJunkin, McLean, Mears, Pellet, Porter, Roseberry, Russ, Torrey, Van Voorhies, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, and Yule—30.

Assembly Bill No. 133—An Act making an appropriation for the deficiency in the appropriation for salary of Guardian of the Yosemite Valley for the thirty-fifth fiscal year.

The roll call, on the question of second reading, was demanded by Messrs. May, Davis, and Jordan.

The roll was called, and the bill was refused second reading, by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Black, Britt, Clark, Cook, Corcoran, Dooling, Franklin, Goucher, Gregory, Hazard, Henley, Henry, May, McDonald, Reeves, Van Voorhies, Woodward, and Mr. Speaker—22.

NOES—Messrs. Barnes, Barnett, Carter of Solano, Colby, Coleman, Culver, Davis, Edwards, Ellison, Firebaugh, Heath, Hollister, Jones, Jordan, Lafferty, Loud, Lovell, McGlashan, McJunkin, McLean, Mears, Moffitt, Munday, Pellet, Porter, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, and Yule—38.

Assembly Bill No. 135—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in the Controller's office for the thirty-fifth fiscal year.

Withdrawn by consent of the House.

Assembly Bill No. 136—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fifth fiscal year.

The roll call, on the question of second reading, was demanded by Messrs. May, Munday, and Jordan.

The roll was called, and the bill was refused second reading, by the following vote:

AYES—Messrs. Ashe, Barnett, Black, Britt, Carter of Contra Costa, Clark, Cook, Corcoran, DeWitt, Dooling, Franklin, French, Goucher, Gregory, Hazard, Henley, Henry, Hollister, Lovell, May, McDonald, McMurray, Morris, Munday, Patterson, Reeves, Watson of El Dorado, Whitcomb, Woodward, and Mr. Speaker—30.

NOES—Messrs. Allen, Almy, Banbury, Barnes, Carter of Solano, Colby, Coleman, Culver, Davis, Douglas, Edwards, Ellison, Firebaugh, Heath, Jones, Jordan, Lafferty, Loud, McGlashan, McJunkin, McLean, Mears, Moffitt, Pellet, Porter, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, and Yule—38.

FIRST READING OF BILL.

Senate Bill No 309—An Act to appropriate money for the support of the Bureau of Labor Statistics.

The roll call, on the question of first reading, was demanded by Messrs. Munday, McGlashan, and Mears.

The roll was called, and the bill was ordered to be read first time by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Britt, Clark, Coleman, Cook, Corcoran, DeWitt, Dooling, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Hollister, Jones, Jordan, Lovell, May, McDonald, McMurray, Moffitt, Morris, Munday, Patterson, Pyle, Reeves, Swayne, Torrey, Watson of El Dorado, Woodward, and Mr. Speaker—36.

NOES—Messrs. Barnett, Black, Carter of Contra Costa, Carter of Solano, Colby, Culver, Davis, Douglas, Edwards, Henry, Heywood, Lafferty, Loud, McGlashan, McJunkin, Mears, Pellet, Porter, Roseberry, Russ, Sullivan, Van Voorhies, Walrath, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, and Yule—30.

Read first time, and ordered to second reading.

SECOND READING OF BILLS.

Assembly Bill No. 137—An Act making an appropriation for the deficiency in the appropriation for traveling expenses of the Attorney-General and Surveyor-General for the thirty-fifth fiscal year.

Refused second reading.

Assembly Bill No. 138—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fifth fiscal year.

The question being upon the second reading of the bill, the roll call was demanded by Messrs. May, Allen, and Davis.

The bill was ordered read second time, by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Dooling, Edwards, Ellison, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Lovell, May, McDonald, McLean, McMurray, Moffitt, Morris, Munday, Patterson, Reeves, Roseberry, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Whitcomb, Woodward, and Mr. Speaker—47.

NOES—Messrs. Douglas, Firebaugh, Heywood, Jones, Jordan, Loud, McGlashan, McJunkin, Mears, Pellet, Porter, Russ, Sullivan, Walrath, Ward of San Francisco, Weaver, Wood, and Yule—18.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 139—An Act making an appropriation for the deficiency in the appropriation for arrests of criminals outside the limits of the State for the thirty-fifth fiscal year.

Refused second reading.

Assembly Bill No. 140—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in the Surveyor-General's office for the thirty-fifth fiscal year.

Withdrawn by consent of the House.

Assembly Bill No. 213—An Act making an appropriation to pay the deficiency in the appropriation for the fund for the costs and expenses of suits in which the State is a party in interest for the thirty-fifth fiscal year.

The question being on the second reading of the bill, the roll call was demanded by Messrs. Munday, Ellison, and Coleman.

The bill was ordered read second time, by the following vote:

AYES—Messrs. Ashe, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Coleman, Corcoran, Deveny, DeWitt, Dooling, Ellison, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Jordan, Lafferty, Lovell, McDonald, McGlashan, McJunkin, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Van Voorhies, Watson of El Dorado, and Ward of San Francisco—35.

NOES—Messrs. Allen, Almy, Banbury, Barnes, Carter of Solano, Clark, Colby, Cook, Edwards, May, McLean, McMurray, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—27.

Mr. McJunkin moved that the rules be suspended, and that the bill be considered without going into Committee of the Whole.

So ordered.

Bill read second time.

Mr. Ellison moved to amend, as follows: strike out, in section one, the words "twenty-one hundred and fifteen dollars and sixty cents," and insert in lieu thereof the words "seventeen hundred and fifty dollars."

So ordered.

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 345—An Act making an appropriation for a deficiency in the appropriation for the salary of Secretary of State Engineer for the thirty-fifth and thirty-sixth fiscal years.

Refused second reading.

Assembly Bill No. 455—An Act making an appropriation for the deficiency in the appropriation for official advertisements for the thirty-sixth fiscal year.

The question being on the second reading of the bill, the roll call was demanded by Messrs. May, Dooling, and Wood.

The bill was refused second reading, by the following vote:

AYES—Messrs. Almy, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Coleman, Cook, Corcoran, DeWitt, Dooling, Ellison, Gregory, Hazard, Henley, Henry, Jones, Kalben, Lovell, May, McDonald, McGlashan, McMurray, Moffitt, Morris, Munday, Patterson, Reeves, Russ, Watson of El Dorado, Woodward, and Mr. Speaker—32.

NOES—Messrs. Allen, Banbury, Britt, Carter of Solano, Clark, Colby, Culver, Edwards, Firebaugh, Heath, Heywood, Hollister, Jordan, Lafferty, Loud, McJunkin, McLean, Mears, Pellet, Porter, Pyle, Roseberry, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, and Wood—33.

FIRST READING OF BILLS.

Assembly Bill No. 188—An Act to provide for compiling, illustrating, electrotyping, and printing a State series of school text-books.

Withdrawn by consent of the House.

RECONSIDERATION.

Mr. Jordan moved to reconsider the vote whereby Assembly Bill No. 220 was ordered engrossed, and to be read third time.

So ordered.

The question then being on ordering the bill engrossed, and to be read third time, the roll call was demanded by Messrs. Munday, Hazard, and DeWitt.

The bill was refused engrossment and third reading, by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Britt, Carter of Solano, Clark, Corcoran, Daley, DeWitt, Dooling, Gregory, Hazard, Heath, Henley, Henry, Hollister, Kalben, Lafferty, McGlashan, Munday, Pellet, Reeves, Torrey, Van Voorhies, Watson of El Dorado, and Woodward—28

NOES—Messrs. Almy, Black, Buhlert, Carter of Contra Costa, Colby, Coleman, Cook, Culver, Davis, Deveny, Douglas, Ellison, Firebaugh, Franklin, French, Heywood, Hunt, Jordan, Loud, Lovell, May, McJunkin, Mears, Moffitt, Morris, Roseberry, Sullivan, Watson of Alameda, Ward of San Francisco, Weaver, and Wood—32.

MOTION.

Mr. Carter of Contra Costa moved that Assembly Bill No. 561 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 561—An Act to repeal "An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof," approved March 15, 1883; also, to provide for the payment of its indebtedness and disposition of its assets.

Read first time, and ordered to second reading.

MOTION.

Mr. Watson of El Dorado moved that Assembly Bill No. 315 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 315—An Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to town lands granted to the unincorporated towns in this State by the Act of Congress, entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,'" approved March 2, 1867, approved March 13, 1868.

Read second time.

Mr. Watson of El Dorado offered a substitute, which was read and adopted.

Ordered engrossed, and to be read third time.

NOTICES OF RECONSIDERATION.

Mr. McJunkin gave notice that he would move to reconsider the vote whereby Assembly Bill No. 132 was refused first reading.

Mr. Pyle gave notice that he would move to reconsider the vote whereby Assembly Bill No. 455 was refused second reading.

WITHDRAWAL OF BILL.

By permission of the House, Mr. Watson of El Dorado withdrew Assembly Bill No. 464.

MOTION.

Mr. Coleman moved that Assembly Bill No. 459 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 459—An Act for the relief of Thomas W. Lathrop, ex-Sheriff of the County of San Mateo.

Read first time, and ordered to second reading.

Mr. Coleman moved that Assembly Bill No. 459 be placed on the special file.

So ordered.

MOTION.

Mr. Lovell moved that Assembly Bill No. 449 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 449—An Act to amend section one thousand and eighty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1882, relating to the qualification of voters.

Read first time, and ordered to second reading.

CALL OF THE HOUSE.

Mr. Davis moved a call of the House.

So ordered

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

Messrs. Allen, Almy, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hunt, Jones, Jordan, Lafferty, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker.

Quorum present.

The Sergeant-at-Arms was directed to bring in the absentees.

The Sergeant-at-Arms presented before the bar of the House Messrs. Coleman and Colby, who were excused.

Mr. Culver moved that further proceeding under the call of the House be dispensed with.

So ordered.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 248—An Act to amend section one hundred and twelve of an Act to establish a uniform system of county and township governments, approved March 14, 1883, relating to the duties of County Clerk.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Edwards, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr Speaker—66

NOES—None.

Title approved.

Assembly Bill No. 8—An Act to amend section three hundred and thirty-two of the Civil Code, to provide for the levying of assessments by corporations.

Passed on file.

Assembly Bill No. 275—An Act to amend section nine hundred and twenty-eight of an Act entitled "An Act to establish a Penal Code," approved April 16, 1880, relative to Grand Juries.

Read *third* time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Solano, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, VanVoorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr Speaker—64.

NOES—None.

Title approved.

Assembly Bill No. 349—An Act to provide for the payment of the claim of William Saunders.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, Ellison, Firebaugh, French, Gregory, Heath, Henley, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Lafferty, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Sullivan, Swayne, Torrey, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Whitcomb, Woodward, and Mr. Speaker—55.

NOES—Messrs. Colby, Russ, Van Voorhies, Ward of Butte, and Weaver—5.

Title approved.

Assembly Bill No 297—An Act to amend the Code, in relation to the taxation of ferryboats and all water crafts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Coleman, Cook, Corcoran, Culver, Davis, DeWitt, Edwards, Ellison, Firebaugh, Franklin, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Jordan, Kalben, McLean, Mears, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—50.

NOES—Messrs. Banbury, Colby, Daley, Deveny, French, Hunt, Jones, Lafferty, Loud, Lovell, May, McDonald, McJunkin, McMurray, and Sullivan—15.

Title approved.

Assembly Bill No. 504—An Act to create the County of Los Alamos, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and funds for its support by the issue of bonds or otherwise, and for this purpose to provide for taking the census of Santa Barbara County.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Corcoran, Davis, DeWitt, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Lafferty, Loud, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Patterson, Porter, Pyle, Reeves, Roseberry, Russ, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—57.

NOES—Messrs. Deveny, Lovell, and May—3.

Title approved.

Assembly Bill No. 313—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estates of deceased persons.

Read third time.

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

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Buhlert, Carter of Solano, Corcoran, Deveny, Firebaugh, Franklin, French, Heath, Hunt, Lafferty, May, McGlashan, McJunkin, McLean, McMurray, Morris, Porter, Reeves, Roseberry, Sullivan, Watson of Alameda, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—28.

NOES—Messrs Allen, Barnett, Black, Britt, Colby, DeWitt, Douglas, Ellison, Goucher, Hazard, Henley, Henry, Jones, Loud, McDonald, Mears, Munday, Pellet, Pyle, Russ, Torrey, Van Voorhies, Ward of Butte, and Weaver—24.

Assembly Bill No. 448—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Buhlert, Carter of Contra Costa, Coleman, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Hazard, Heath, Henley, Heywood, Hunt, Jones, Jordan, Kalben, Lafferty, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Patterson, Porter, Pyle, Reeves, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Yule, and Mr. Speaker—49.

NOES—Messrs. Barnett, Black, Colby, Corcoran, DeWitt, Ellison, Gregory, Henry, Munday, Pellet, Torry, Watson of El Dorado, and Ward of Butte—13

Title approved.

Assembly Bill No. 300—An Act to amend section one thousand seven hundred and seventy-two of the Political Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Davis, Edwards, Ellison, Firebaugh, French, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Lovell, May, McDonald, McLean, Mears, Moffitt, Pellet, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, Yule, and Mr. Speaker—43.

NOES—Messrs. Barnett, Black, Britt, Corcoran, DeWitt, Dooling, Gregory, Henry, Loud, McJunkin, Munday, Van Voorhies, Watson of El Dorado, Ward of Butte, and Woodward—15.

Title approved.

Assembly Bill No. 303—An Act to amend section one thousand seven hundred and eighty-eight of the Political Code of the State of California, relating to the election of City Boards of Examination.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Buhlert, Carter of Contra Costa, Culver, Deveny, Edwards, Ellison, Firebaugh, French, Heath, Henley, Heywood, Hollister, Hunt, Jones, Jordan, Loud, Lovell, May, McDonald, McJunkin, McLean, Moffitt, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of El Dorado, Ward of San Francisco, Whitcomb, Wood, Yule, and Mr Speaker—42

NOES—Messrs. Barnett, Britt, Corcoran, DeWitt, Dooling, Gregory, Henry, Van Voorhies, Ward of Butte, and Woodward—10.

Title approved.

Assembly Bill No. 301—An Act to amend section one thousand six hundred and sixty-five of the Political Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Edwards, Ellison, Firebaugh, French, Hazard, Heath, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Whitcomb, Wood, Yule, and Mr. Speaker—42.

NOES—Messrs. Ashe, Barnes, Barnett, Black, Britt, Corcoran, Culver, DeWitt, Dooling, Gregory, Henley, Henry, Heywood, Munday, Torrey, Van Voorhies, Ward of Butte, and Woodward—18.

Title approved.

Assembly Bill No. 299—An Act to add a new section to the Penal Code, to be known as section three hundred and ten, relating to selling liquor to patients in county hospitals.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Culver, Edwards, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Henry, Heywood, Jones, Jordan, Lovell, May, McGlashan, McJunkin, McLean, Mears, Moffitt, Munday, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—46.

NOES—Messrs. Almy, Ashe, Corcoran, Dooling, Henley, Lafferty, Loud, and Ward of San Francisco—8.

Title approved.

Senate Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of an Act to establish a Political Code, approved March 12, 1872, relating to the formation of school districts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Corcoran, Culver, Deveny, DeWitt, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Heath, Henry, Hollister, Jones, Jordan, Lafferty, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Woodward, Yule, and Mr. Speaker—55.

NOES—Messrs Ashe, Dooling, and Heywood—3.

Title approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1885.

MR. SPEAKER: *Your Committee on Engrossment beg leave to report that the following Assembly* Bills have been correctly engrossed:

Assembly Bill No. 428—An Act to create the County of Orange, to establish the boundaries thereof, and to provide for its organization.

Assembly Bill No. 263—An Act to amend sections seven hundred and sixty-four, seven hundred and seventy-one, seven hundred and seventy-three, and seven hundred and eighty-nine, and repeal seven hundred and fifty-eight of an Act to provide for the organization, incorporation, and government of municipal corporations.

Assembly Bill No. 253—An Act to provide for the organization of cities having a population of over three thousand inhabitants and not exceeding ten thousand into separate school districts, for the election therein of Boards of Education, and to prescribe their powers and duties.

Assembly Bill No. 447—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and eighty-six, and seven hundred and eighty-nine of an Act entitled "An Act to

provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 195—An Act to amend section two thousand six hundred and forty-three, of chapter ten, of an Act of the Legislature, approved February 28, 1883, relating to roads and highways.

Assembly Bill No. 425—An Act to amend an Act entitled "An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove," approved April 15, 1880.

Assembly Bill No. 502—An Act to promote drainage.

DEVENY, Chairman.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bills Nos. 564 and 565, have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

JORDAN, Chairman.

NOTICE OF RECONSIDERATION.

Mr. Munday gave notice that he would move for a reconsideration of the vote whereby Assembly Bill No. 313 was lost.

MOTION.

Mr. Pyle moved that Substitute for Senate Bill No. 33 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Substitute for Senate Bill No. 33—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relative to the sale and use of opium, or any preparation thereof.

Read second time.

Mr. Jordan moved to amend as follows: insert in section three hundred and eight, line three, after the word "thereof," the words "except by white importers to white wholesale merchants."

Pending.

RECESS.

At five o'clock P. M. the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M.

In the absence of the Speaker and Speaker pro tem., the House was called to order by Chief Clerk Ryan.

On motion of Mr. Walrath, Mr. Hazard was called to the chair.

CALL OF THE HOUSE.

Mr. Dooling moved a call of the House.

So ordered.

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

Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Corcoran, Culver, Daley, Deveny, Dooling,

Douglas, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Johnson, Jones, Lafferty, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Yule.

Quorum present.

Mr. Pyle moved that further proceedings under the call of the House be dispensed with.

So ordered.

MOTIONS.

Mr. McDonald moved that the further consideration of Senate Bill No. 33 be postponed.

Lost.

Mr. Walrath moved to make the further consideration of the bill a special order for Friday, February 27, 1885, at eleven o'clock A. M.

Lost on a division.

Mr. Edwards moved the previous question.

So ordered.

The question then being upon the pending amendment by Mr. Jordan, it was lost on a division—ayes, 19; noes, 41.

The question then recurring on ordering the bill to be read third time, the roll call was demanded by Messrs. French, Ward of San Francisco, and McDonald.

The bill was ordered read third time, by the following vote:

AYES—Messrs. Black, Britt, Buhlert, Carter of Solano, Cook, Corcoran, Davis, Dooling, Douglas, Franklin, Gregory, Hazard, Heath, Heywood, Hollister, Johnson, Jones, Kalben, Lafferty, McGlashan, McLean, McMurray, Munday, Patterson, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, and Yule—37

NOES—Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Colby, Coleman, Culver, Deveny, Edwards, Ellison, Firebaugh, French, Henley, Henry, May, McDonald, McJunkin, Mears, Moffitt, Morris, Roseberry, Van Voorhies, Walrath, Watson of El Dorado, and Woodward—26.

MOTION.

Mr. Jones moved that Assembly Bill No. 562 be taken up for consideration.

Mr. McGlashan moved as an amendment that the general file be taken up in its order.

So ordered.

GENERAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 426—An Act to amend section six hundred and twenty-six of the Penal Code, relative to the preservation of game.

Read first time, and ordered to second reading.

Assembly Bill No. 348—An Act to appropriate fifteen thousand dollars for the erection of a monument commemorative of the discovery of gold in California, the same to be erected after the death of Jas. W. Marshall, the discoverer of gold; the said sum to be invested in such securities as the State Board of Examiners may deem best, and the interest accruing therefrom to be paid to the said James W. Marshall during his lifetime.

Read first time, and ordered to second reading.

Assembly Constitutional Amendment No. 10—Proposed amend-

ment to article six of the Constitution, relative to salaries of Justices of the Supreme Court and Superior Court Judges.

Read first time, and ordered to second reading.

Mr. Heath moved that the substitute of the Committee on Constitutional Amendments to the Constitutional Amendment be printed.

So ordered.

Mr. Munday moved that Constitutional Amendment No. 10 be placed at the foot of the special file.

So ordered.

Assembly Bill No. 280—An Act to provide for the further and better protection of purchasers against short weights in coal.

Refused first reading.

Assembly Bill No. 360—An Act to amend section one hundred and seventy-one of the Code of Civil Procedure, forbidding certain officers to practice law in certain Courts.

Refused first reading.

Assembly Bill No. 358—An Act to amend section eight hundred and ninety-six of the Code of Civil Procedure, relating to judgments in Justices' Courts, and requiring the filing of a cost bill by party claiming costs.

Refused first reading.

Assembly Bill No. 359—An Act to amend sections eight hundred and thirty-three and eight hundred and thirty-six of the Code of Civil Procedure, relating to change of venue in civil cases in Justices' Courts.

Refused first reading.

Assembly Bill No. 361—An Act to add a new section to the Code of Civil Procedure, to be known as section nine hundred and twenty-seven, to make certain provisions of this Code relating to notices and the filing and services of papers applicable to Justices' Courts.

Refused first reading.

Assembly Bill No. 335—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Notaries Public.

Withdrawn by consent of the House.

Assembly Bill No. 393—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as section three hundred and twenty-nine, relative to the commencement of action for the purpose of restraining the assessment and collection of taxes, and questioning the validity or legality of any law.

Withdrawn by consent of the House.

MOTIONS.

Mr. Firebaugh moved a call of the House.

Lost.

At eight o'clock and fifty minutes P. M., Mr. Ward of San Francisco moved that the House adjourn.

Lost.

Mr. Allen moved that this evening's session be devoted to the first reading of bills on the general file, in their order.

Lost.

At nine o'clock P. M., Mr. Gregory moved that the House adjourn.

Lost.

SECOND READING OF BILLS.

Assembly Bill No. 307—An Act to amend section twenty-five, subdivision four, of the Political Code, relating to an Act to establish a uniform system of county and township governments, approved March 14, 1883.

The Committee on Agriculture offered a substitute, which was read.

On motion of Mr. Allen, it was made a special order for Friday, February 27, 1885, at two o'clock P. M.

MOTION TO ADJOURN.

At nine o'clock and twenty minutes P. M., Mr. Watson of Alameda moved that the House adjourn.

Lost.

CALL OF THE HOUSE.

Mr. McJunkin moved a call of the House.

So ordered.

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

Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Corcoran, Daley, Davis, Deveny, Dooling, Edwards, Ellison, Firebaugh, Franklin, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Johnson, Jones, Kalben, Lafferty, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Yule.

Quorum present.

Mr. Porter moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Yule moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Corcoran moved that the Sergeant-at-Arms be directed to bring in the absentees.

So ordered.

The Sergeant-at-Arms presented, at the bar of the House, Mr. Henley.

Mr. Yule moved that he be fined one dollar.

So ordered.

Mr. Jones moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Hollister moved that the fine be remitted.

Lost.

Mr. May moved that Mr. Henley be discharged from arrest, and his fine remitted.

Lost.

Mr. Walrath moved that further proceedings under the call of the House be dispensed with.

Lost.

The Sergeant-at-Arms presented, at the bar of the House, Messrs. Kalben and Watson of El Dorado.

Mr. Colby moved that they be fined the usual fine of one dollar, and that they be discharged from custody when the fine is paid.

So ordered.

Mr. Walrath moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Ellison moved that further proceedings under the call of the House be dispensed with.

Lost on a division.

The Sergeant-at-Arms presented, at the bar of the House, Speaker Parks.

Mr. Coleman moved that the usual fine of one dollar be imposed, and that he be discharged from custody when the fine is paid.

So ordered.

The Sergeant-at-Arms presented at the bar of the House, Messrs. Roseberry, Clark, and Jordan.

Mr. Dooling moved that Messrs. Roseberry and Clark be fined one dollar each, and that Mr. Jordan be fined two dollars, and that they be discharged from custody when their fines are paid.

So ordered.

Messrs. Henley, Watson of El Dorado, Kalben, Clark, Roseberry, Jordan, and Speaker Parks paid their fines, and were discharged from custody.

Mr. Walrath moved that further proceedings under the call of the House be dispensed with.

So ordered.

ADJOURNMENT.

At ten o'clock and thirty minutes P. M., on motion of Mr. Watson of Alameda, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 27, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs Allen, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.
Journal approved.

REPORTS OF STANDING COMMITTEES.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on State Prisons on the occasion of their visit to Folsom—have had the same under consideration, and recommend that the following named members be entitled to mileage for forty-four miles: Messrs. Almy, Black, E. H. Watson, and Clerk Morse.

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of seventeen dollars and sixty cents in favor of Joseph Almy for above mileage, payable out of the Contingent Fund of the Assembly.

So ordered.

Also, the report of the Committee on Public Buildings and Grounds, on the occasion of their visit to Stockton and San Quentin—have had the same under consideration, and recommend that the following named members be entitled to mileage for two hundred and eighty-eight miles: Messrs. Davis, May, Ward, Haywood, Watson, Buhlert, Van Voorhies, Kalben, Sullivan, and Clerk Nichols.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of two hundred and eighty-eight dollars in favor of W. J. Davis, to cover above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

So ordered.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1885.

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 568—An Act to amend title five, chapter one, of the Political Code, by adding thereto a new article, to be known as article seven—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WHITCOMB, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, February 26, 1885.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 243—An Act to enlarge the duties of the Board of State Viticultural Commissioners.

GEORGE STONEMAN, Governor.

RESOLUTION.

By Mr. Black:

WHEREAS, In the late election contest of W. B. Tyler against T. C. Morris, for a seat in this Assembly, the said Tyler was, by the action of the Assembly, in effect denied all and any reimbursement of the expenses by him incurred in the prosecution of such contest; and whereas, there is no reason to believe that such contest was instituted or prosecuted by said Tyler in bad faith, or without probable cause, and it has heretofore been the practice of the Legislature of this State to allow the parties to contests of like character a reasonable sum to defray the necessary expenses of maintaining the same: therefore, be it

Resolved, That the previous action of the Assembly, in the matter of the claim of said Tyler, be and the same is hereby rescinded, and the Controller is authorized to draw his warrant in favor of said W. B. Tyler for the sum of three hundred dollars, payable out of the Contingent Fund of the Assembly, that sum being, in the opinion of the Assembly, a reasonable allowance to said Tyler for his expenses incurred in the contest aforesaid.

Referred to Committee on Elections.

MOTION.

By request of the Speaker, Assembly Bill No. 512 was taken up for consideration.

FIRST READING OF BILL.

Assembly Bill No. 512—An Act to authorize the Controller and Treasurer of State to transfer certain funds.

Read first time.

MATTER OF URGENCY.

Mr. May moved that, in accordance with the provisions of the Constitution, Assembly Bill No. 512 be made a matter of urgency, and that the provision of the Constitution requiring the reading of a bill on three separate days be suspended, and that the bill be put upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Lafferty, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—56.

NOES—None.

Bill read second time.

Mr. May moved that the rules be suspended, and that the bill be considered engrossed, and that it be read third time and put upon its passage.

So ordered.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Firebaugh, French, Goucher, Gregory, Heath, Henley, Heywood, Hollister, Hunt, Jones, Jordan, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—52.

NOES—None.

By permission of the House, the bill was immediately transmitted to the Senate.

RECONSIDERATION.

Mr. Firebaugh moved to reconsider the vote whereby Assembly Bill No. 313 was lost.

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

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Coleman, Cook, Corcoran, Culver, Davis, Deveny, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Heywood, Hollister, Hunt, Jones, Lafferty, Lovell, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Patterson, Pellet, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Wood, Woodward, Yule, and Mr. Speaker—47.

NOES—Messrs. DeWitt, Dooling, Henley, Henry, and Ward of Butte—5.

Assembly Bill No. 313—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estates of deceased persons.

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

AYES—Messrs Allen, Almy, Ashe, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Henry, Heywood, Hollister, Hunt, Jones, Lafferty, Loud, Lovell, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Reeves, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Wood, Woodward, Yule, and Mr. Speaker—49.

NOES—Messrs. DeWitt, Dooling, Henley, and Ward of Butte—4.

REPORT OF STANDING COMMITTEE.

ON ATTACHES AND EMPLOYES.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1885.

MR. SPEAKER: Your Committee on Attaches and Employés, to whom was referred the accompanying resolution, allowing the Postmistress of the Assembly compensation for services as Mailing Clerk—have had the same under consideration, and report it back, with a recommendation that it do pass.

ASHE, Acting Chairman.

RESOLUTION.

WHEREAS, The Postmistress of the Assembly, Mrs. L. C. Stratton, has faithfully and efficiently performed the duties of Mailing Clerk of the Assembly, and has at all times labeled, rolled, and attended to the wrapping and mailing of papers, books, pamphlets, etc., when called upon by the members to do so, and as no compensation has been provided for the duties that have thus devolved upon the Postmistress; therefore, be it

Resolved, That the Postmistress of the Assembly be and is allowed an extra per diem of three dollars, commencing at the beginning of the session, and continuing to the end of the session, and the Controller is hereby authorized and directed to draw his warrant on the proper fund, in favor of Mrs. L. C. Stratton, for the amount.

Resolution adopted.

SPECIAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 447—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-five, seven hundred and seventy-three, seven hundred and seventy-seven, seven hundred and eighty-six, and seven hundred and eighty-nine of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Heath, Henry, Heywood, Hollister, Hunt, Jones, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Reeves, Roseberry, Russ, Swayne, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—52.

NOES—None.

Title approved.

Assembly Bill No. 425—An Act to amend an Act entitled "An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove," approved April 15, 1880.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Buhlert, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Douglas, Ellison, Firebaugh, Franklin, French, Goucher, Heath, Henry, Hollister, Jones, Lafferty, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Pellet, Pyle, Reeves, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—52.

NOES—None.

Title approved.

SECOND READING OF BILLS.

Assembly Bill No. 572—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State.

Mr. McJunkin moved that the rules be suspended, and that the bill be considered without going into Committee of the Whole.

So ordered.

Bill read second time.

Mr. Loud moved to amend as follows: add a new section, to read as follows:

SEC. 2. The Governor of the State, immediately upon having satisfactory evidence presented to him that such National Encampment of the Grand Army of the Republic will be held at San Francisco, California, shall demand from the State Controller, and the State Controller is hereby authorized and instructed, upon such demand, to draw his warrant in favor of the Governor of the State for the sum of twenty-five thousand dollars, to be expended by him as above provided, and the Treasurer is hereby authorized and directed to pay the same.

So ordered.

Bill ordered engrossed, and to be read third time.

Senate Bill No. 309—An Act to appropriate money for the support of the Bureau of Labor Statistics.

Read second time, and ordered read third time.

FIRST READING OF BILLS.

Senate Bill No. 282—An Act to provide an additional asylum for the insane of the State of California.

Read first time, and ordered to second reading.

Assembly Bill No. 503—An Act to amend section two thousand seven hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read first time, and ordered to second reading.

RECONSIDERATION.

Mr. McJunkin moved to reconsider the vote whereby Assembly Bill No. 132 was refused first reading.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 132—An Act making an appropriation for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the thirty-fifth fiscal year.

Mr. McJunkin moved that the rules be suspended, and that the bill be considered without going into Committee of the Whole.

So ordered.

Bill ordered engrossed, and to be read third time.

SPECIAL FILE—(RESUMED)—SECOND READING OF BILLS.

Assembly Bill No. 459—An Act for the relief of Thomas W. Lathrop, ex-Sheriff of the County of San Mateo.

Read second time, ordered engrossed, and to be read third time.

Mr. Jordan in the chair.

Assembly Bill No. 398—An Act to repeal an Act entitled "An Act to divide the State into Senatorial Districts, and to provide for the election of Senators therein."

Read second time, ordered engrossed, and to be read third time.

Assembly Constitutional Amendment No. 10—Proposed amendment to article six of the Constitution, relative to salaries of Justices of the Supreme Court and Superior Court Judges.

Substitute, offered by Committee on Constitutional Amendments, read and adopted.

Ordered engrossed, and to be read third time.

Speaker Parks in the chair.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1885.

MR. SPEAKER. Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled:

Assembly Bill No. 12—Entitled "An Act appropriating forty thousand dollars for the purpose of the establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California."

Also, Assembly Bill No. 36—Entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof."

And the same were, at eleven o'clock and thirty minutes A. M., February 27, 1885, presented to the Governor for his approval.

Also, Assembly Concurrent Resolution No. 22—Relative to placing General U. S. Grant on the retired list.

And the same was, at eleven o'clock and thirty minutes A. M., February 27, 1885, presented to the Governor for his approval.

DALEY, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 362—An Act authorizing the Board of Supervisors of any county, or any subdivision of a county, having a bonded debt, to refund such debt at a less rate in interest.

Assembly Bill No. 213—An Act making an appropriation to pay the deficiency in the appropriation for the fund for the costs and expenses of suits in which the State is a party in interest for the thirty-fifth fiscal year.

Assembly Bill No. 131—An Act making an appropriation for the deficiency in the appropriation for support of the State Insane Asylum at Stockton for the thirty-fifth fiscal year

Assembly Bill No 138—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fifth fiscal year.

Assembly Bill No. 129—An Act making an appropriation for the deficiency in the appropriation for transportation of the insane for the thirty-fifth fiscal year.

DEVENY, Chairman.

MOTION.

Mr. Cook moved that Assembly Bill No. 561 be taken up for consideration.

Lost.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 26, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 166—"An Act to authorize the Board of Fish Commissioners of this State to build and maintain a salmon hatchery, and providing ways and means therefor."

Also, February twenty-fifth, refused first reading to Assembly Bill No 148—An Act to amend section nine of an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

And, also, have refused to recede from Senate amendments to Assembly Bill No 403—An Act to establish a branch State Normal School.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

Senate Bill No. 166 referred to the Committee on Fish and Game.

CONSIDERATION OF MESSAGE FROM THE SENATE.

Mr. Yule moved that, as the Senate had refused to recede from its amendment to Assembly Bill No. 403, a Committee of Conference, to consist of three members of the Assembly, be appointed to confer with a like committee to be appointed by the Senate.

So ordered.

APPOINTMENT OF CONFERENCE COMMITTEE.

The Speaker appointed Messrs. Yule, Ward of Butte, and Goucher the Committee of Conference.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 8—An Act to amend section three hundred and thirty-two of the Civil Code, to provide for the levying of assessments by corporations.

Passed on file.

Assembly Bill No. 428—An Act to create the County of Orange, to establish the boundaries thereof, and to provide for its organization.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Culver, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Jones, Jordan, Lafferty, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Patterson, Pellet, Roseberry, Sullivan, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Whitcomb, Wood, Woodward, and Mr. Speaker—49.

NOES—Messrs Banbury, Coleman, Cook, Corcoran, DeWitt, Dooling, Henley, Hunt, Loud, Mears, Moffitt, Morris, Munday, Pyle, Reeves, Russ, and Watson of El Dorado—17.

Title approved.

NOTICE OF RECONSIDERATION.

Mr. Hazard gave notice that he would move to reconsider the vote whereby Assembly Bill No. 428 was passed.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 112—An Act for the relief of John Hoagland and others.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Clark, Colby, Coleman, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, French, Heath, Henley, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Whitcomb, Wood, and Mr Speaker—56.
NOES—Messrs Gregory, Hazard, Henry, Reeves, Roseberry, Russ, Torrey, and Woodward—8.

Title approved.

On motion of Mr. Jones, Assembly Bill No. 112 was ordered transmitted to the Senate immediately

Assembly Bill No. 362—An Act authorizing the Board of Supervisors of any county, or any subdivision of a county, having a bonded debt, to refund such debt at a less rate of interest.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Lovell, May, McDonald, McGlashan, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of ElDorado, Ward of Butte, Whitcomb, Wood, Woodward, and Mr. Speaker—65.
NOES—None.

Title approved.

On motion of Mr. Heath, Assembly Bill No. 362 was ordered transmitted to the Senate immediately.

Assembly Bill No. 339—An Act to provide that no compensation shall be paid to the Mayors or members of the Common Council of cities containing less than ten thousand inhabitants.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Davis, Deveny, Douglas, Edwards, Firebaugh, Franklin, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Lovell, May, McGlashan, McLean, McMurray, Moffitt, Patterson, Pellet, Reeves, Roseberry, Russ, Watson of Alameda, Ward of Butte, Whitcomb, Woodward, and Mr. Speaker—44.
NOES—Messrs. Ashe, Britt, Colby, DeWitt, Dooling, Ellison, Henry, McDonald, Mears, Sullivan, and Watson of El Dorado—11.

Title approved.

Assembly Bill No. 329—An Act in relation to lawful fences.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Britt, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, DeWitt, Dooling, Firebaugh, French, Gregory, Hazard, Heath, Heywood, Hunt, Jones, Jordan, Kalben, Lafferty, Loud, Lovell, May, McGlashan, McJunkin, Moffitt, Patterson, Pellet, Pyle, Reeves, Sullivan, Swayne, Watson of Alameda, Watson of El Dorado, Wood, Woodward, and Mr Speaker—46.
NOES—Messrs. McLean, McMurray, Mears, Roseberry, and Ward of Butte—5.

Title approved.

NOTICE OF RECONSIDERATION.

Mr. Gregory gave notice that he would move to reconsider the vote whereby Assembly Bill No. 329 was passed.

WITHDRAWAL OF BILL.

By consent of the House, Mr. Moffitt withdrew Assembly Bill No. 506.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.

SPECIAL ORDER.

The hour for the consideration of special orders for two o'clock P. M. this day, having arrived, Assembly Bill No. 307—An Act to amend section twenty-five, subdivision four, of the Political Code, relating to an Act to establish a uniform system of county and township governments, approved March 14, 1883—was taken up.

Mr. Munday moved to amend the title, by striking out the words "subdivision four of the Political Code, relating to."

So ordered.

Substitute adopted, as amended.

Ordered engrossed, and to be read third time.

CALL OF THE HOUSE.

Mr. Moffitt moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Moffitt moved that further proceedings under the call of the House be dispensed with.

So ordered.

INTRODUCTION OF BILL.

Mr. Moffitt asked permission to introduce a bill, under the constitutional provision requiring the consent of two thirds of the members of the Assembly.

The roll was called, and the House granted the permission by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Black, Buhlert, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Whitcomb, Wood, Yule, and Mr. Speaker—60.
NOES—Messrs Carter of Solano, Coleman, Dooling, Henley, Henry, Johnson, Munday, Watson of El Dorado, Ward of Butte, and Woodward—10.

Mr. Moffitt moved that the rules be suspended, and that the bill be taken up for immediate consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 573—An Act to provide for the submission to the qualified electors of the State, for their approval, the amendment or amendments to the Constitution of the State of California, proposed by the Legislature thereof at its twenty-sixth session.

Read first time.

Mr. Moffitt moved to make Assembly Bill No. 573 the special order for Saturday, February 28, 1885, immediately after the reading of the Journal.

So ordered on a division—ayes, 41; noes, 17.

GENERAL FILE—(RESUMED)—THIRD READING OF BILLS.

Assembly Bill No. 263—An Act to amend sections seven hundred and sixty-four, seven hundred and seventy-one, seven hundred and seventy-three, and seven hundred and eighty-nine, and repeal seven hundred and fifty-eight of an Act to provide for the organization, incorporation, and government of municipal corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Black, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Culver, Daley, Davis, DeWitt, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of El Dorado, Ward of Butte, Whitcomb, Woodward, Yule, and Mr. Speaker—57.
NOES—None.

Title approved.

Assembly Bill No. 253—An Act to provide for the organization of cities having a population of over three thousand inhabitants, and not exceeding ten thousand, into separate school districts, for the election therein of Boards of Education, and to prescribe their powers and duties.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, DeWitt, Edwards, Ellison, French, Goucher, Gregory, Heath, Henley, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McLean, McMurray, Mears, Moffitt, Morris, Pellet, Porter, Pyle, Reeves, Russ, Swayne, Torrey, Van Voorhies, Walrath, Ward of Butte, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—58.
NOES—Mr. Dooling—1.

Title approved.

Assembly Bill No. 195—An Act to amend section two thousand six hundred and forty-three, of chapter ten, of an Act of the Legislature approved February 28, 1883, relating to roads and highways.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Porter, Pyle, Reeves, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—64.

NOES—None.

Title approved.

Assembly Bill No. 502—An Act to promote drainage.

Read third time.

On motion of Mr. McJunkin, the Clerk was authorized to change the first word in section one, so as to read "whenever," instead of "whereas;" it being a clerical error.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Lafferty, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Walrath, Ward of Butte, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—64.

NOES—None.

Title approved.

Substitute for Senate Bill No. 33—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relative to the sale and use of opium, or any preparation thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Cook, Corcoran, Culver, Daley, Davis, Dooling, Douglas, Franklin, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Johnson, Kalben, Lafferty, Long, Loud, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, and Yule—43.

NOES—Messrs Allen, Ashe, Banbury, Clark, Colby, Coleman, Deveny, Edwards, Ellison, Firebaugh, French, Henley, Heywood, Hunt, Jones, Jordan, May, McDonald, Mears, Roseberry, Van Voorhies, Walrath, Watson of El Dorado, Woodward, and Mr. Speaker—25.

Title approved.

Assembly Bills Nos. 263 and 195, just passed, were ordered, on motion of Mr. Coleman, to be transmitted at once to the Senate.

NOTICE OF RECONSIDERATION.

Mr. Henry gave notice that he would move to reconsider the vote whereby Senate Substitute for Senate Bill No. 33 was passed.

MOTIONS.

Mr. McJunkin asked permission to move to reconsider the vote whereby Assembly Bill No. 137 was refused second reading.

Permission refused.

Mr. Yule moved that Assembly Bills Nos. 404 and 405 be taken up for consideration.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 404—An Act to amend section one thousand four hundred and ninety of the Code of Civil Procedure, in relation to the notice to creditors in probate proceedings.

Read second time.

The Committee on Judiciary offered to amend as follows: amend section one, by inserting the word "interested," after the word "all," in line fifteen.

So ordered.

Also, strike out section two.

So ordered.

Ordered engrossed, and to be read third time.

Assembly Bill No. 405—An Act to amend section one thousand four hundred and sixty-nine of the Code of Civil Procedure.

Read second time, ordered engrossed, and to be read third time.

MOTIONS.

Mr. Corcoran moved that each member be allowed to call up a bill in the order in which his name appears on the roll of the House.

So ordered.

Mr. Douglas moved a call of the House.

Lost.

RECONSIDERATION.

Mr. Pyle moved to reconsider the vote whereby Assembly Bill No. 455 was refused second reading.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 455—An Act making an appropriation for the deficiency in the appropriation for official advertisements for the thirty-sixth fiscal year.

Read second time, ordered engrossed, and to be read third time.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1885.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 572—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State.

Assembly Bill No. 503—An Act to amend section two thousand seven hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Assembly Bill No. 459—An Act for the relief of Thomas W. Lathrop, ex-Sheriff of the County of San Mateo.

Assembly Bill No. 398—An Act to repeal an Act entitled "An Act to divide the State into Senatorial Districts, and to provide for the election of Senators therein."

Assembly Bill No. 132—An Act making an appropriation for the deficiency in the appropriation for restoration and preservation of fish in the waters of the State for the thirty-fifth fiscal year.

Substitute for Assembly Constitutional Amendment No. 10—Proposed amendment to article six of the Constitution, relative to salaries of Justices of the Supreme Court and Superior Court Judges.

DEVENY, Chairman.

GENERAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 454—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 488—An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 442—An Act making it the duty of the Secretary of State to furnish all public libraries with copies of State documents.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 561—An Act to repeal "An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof," approved March 15, 1883; also, to provide for the payment of its indebtedness and disposition of its assets.

Read second time.

On motion of Mr. Carter of Contra Costa, the rules were suspended, and the bill was considered without going into Committee of the Whole.

Substitute read.

The roll call, on the adoption of the substitute, was demanded by Messrs. May, Cook, and Watson of Alameda.

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

AYES—Messrs. Banbury, Barnes, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Cook, Culver, Daley, Ellison, Firebaugh, Franklin, Gregory, Hazard, Hollister, Johnson, Jones, Kalben, Lafferty, Long, Loud, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Roseberry, Russ, Sullivan, Torrey, Watson of Alameda, Ward of Butte, and Whitcomb—39.

NOES—Messrs. Allen, Almy, Ashe, Buhlert, Colby, Corcoran, Deveny, Dooling, Douglas, Edwards, Henley, Henry, May, Reeves, Van Voorhies, Wood, Woodward, and Mr. Speaker—18.

Senate Bill No. 97—An Act to prevent the spreading of fruit and fruit tree pests and diseases, and to provide for their extirpation.

Read second time, ordered engrossed, and to be read third time.

On motion of Mr. Munday, the bill was ordered to be placed on special file.

Assembly Bill No 179—An Act to amend section six hundred and thirty-six of the Penal Code, relative to fish and game.

Read second time.

The substitute of the Committee on Fish and Game was read and adopted.

Ordered engrossed, and to be read third time.

Assembly Bill No. 419—An Act to prevent the sale of tobacco to minors.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 272—An Act to amend an Act entitled "An Act

to establish a Penal Code," approved February 14, 1872, by adding a new section, numbered three hundred and thirty-seven, for the punishment of certain persons who encourage gaming.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 242—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the support of the government of the State.

Read second time.

The Committee on Fish and Game offered to amend as follows: amend, by adding to section one the following: "Any person violating the provisions of this section is guilty of a misdemeanor."

So ordered.

Ordered engrossed, and to be read third time.

Assembly Bill No. 311—An Act to authorize the Chief of Police of any city, or city and county, to appoint an interpreter of the Italian language and dialects in criminal proceedings in said cities and cities and counties.

Read second time.

Mr Deveny moved to amend as follows: amend Assembly Bill No. 311, by inserting after the word "counties," in line one, of section one, the words "of over one hundred thousand inhabitants;" strike out of section one, beginning with the word "it," on line two, of section one, down to and including the word "county," on line three, of section one, and insert in lieu thereof the following: "It shall be the duty of the Mayor and Police Judge of such city, or city and county, and of the Superior Judge of said city and county, or if the county in which said city is situated (or where there are more Judges than one, then it shall be the duty of the presiding Judge of said Superior Court and the Mayor and Police Judge;)" strike out all beginning with the word "either," on line six, of section one, down to and including the word "of," where it appears for the second time on line six, of said section one, and insert instead thereof the word "in;" strike out all of section two after the word "county," on line three of said section; amend section one, by inserting on line four, after the word "language," the words "who shall be an Italian and."

So ordered.

Ordered engrossed, and to be read third time.

Assembly Bill No. 31—An Act to amend an Act entitled "An Act declaring Islais Creek, in the City and County of San Francisco, a navigable stream," approved March 26, 1868, and to amend an Act entitled "An Act approved March 28, 1868, to amend an Act entitled 'An Act granting to certain persons therein named the right to lay a railroad track along certain streets in the City and County of San Francisco,'" approved April 2, 1866, and to require the State Harbor Commissioners to remove certain obstructions from Islais Creek, in the City and County of San Francisco, and to build a drawbridge thereon, and to authorize its payment.

Read second time.

The Committee on Commerce and Navigation offered a substitute, which was read and adopted.

Ordered engrossed, and to be read third time.

FIRST READING OF BILLS.

Senate Bill No. 25—An Act to amend section one thousand seven hundred and twenty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to Public Administrators.

Read first time, and ordered to second reading.

Assembly Bill No. 515—An Act to prohibit the sale of spirituous or malt liquors in the vicinity of school houses and houses of worship, within the State of California, and outside of any incorporated town therein.

Read first time, and ordered to second reading.

Assembly Bill No. 549—An Act to regulate the rate of charges upon telegraph lines, and to prevent extortion by owners of telegraph lines.

Read first time, and ordered to second reading.

Assembly Bill No. 571—An Act to allow mileage to Sheriffs for conveying prisoners to the State Prisons and insane persons to the insane asylums, in lieu of per diem and expenses.

Read first time, and ordered to second reading.

Assembly Bill No. 540—An Act to amend section eight hundred and forty-one of the Civil Code, relating to partition fences.

Read first time, and ordered to second reading.

Assembly Bill No. 84—An Act to amend sections one thousand four hundred and sixty-four, one thousand four hundred and sixty-five, and one thousand four hundred and sixty-eight of the Code of Civil Procedure, relating to provision for the support of the family and of the homestead.

Read first time, and ordered to second reading.

Senate Bill No. 74—An Act entitled "An Act to provide for the future management of the State asylums for the insane."

Read first time, and ordered to second reading.

Mr. Corcoran moved that Senate Bill No. 74 be placed on special file.

So ordered.

Assembly Bill No. 562—An Act to provide for the grading and graveling of that portion of N Street, between Tenth and Thirteenth Streets, in the City of Sacramento, adjoining the State Capitol grounds, and to provide for payment of the same.

Read first time, and ordered to second reading.

On motion of Mr. Jones, ordered placed on special file.

Assembly Bill No. 565—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporation.

Read first time, and ordered to second reading.

Assembly Bill No. 244—An Act to amend section three thousand four hundred and ninety-eight of the Political Code.

Read first time, and ordered to second reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Munday:

Resolved, That on the twenty-eighth of February, 1885, this House, after the consideration of the special file and the third reading bills, shall continue to the members of the Assembly in alphabetical order, the privilege of calling up one bill, as his name is called, beginning at the name next succeeding the last name accorded the same privilege this day.

Referred to Committee on Rules and Regulations.

MOTION.

On motion of Mr. Corcoran, the amendments to Senate Bill No. 282 were ordered printed.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 28, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Messrs. Almy, Allen, McJunkin, Porter, and May were granted leave of absence for one day.

MOTION.

Mr. May moved that Assembly Bill No. 133 be replaced on the file.

So ordered.

The printed copy of Assembly Bill No. 573 not having been received from the printer, the special order for this hour was temporarily postponed.

RESOLUTION—(OUT OF ORDER).

By Mr. McJunkin:

Resolved, That the Secretary of State be and he is hereby directed to certify to the Controller a statement of the amount of stationery, stamps, etc., drawn by each member of this Assembly, and that the Controller be and he is hereby directed to draw a warrant in favor of each member of this Assembly for the sum of twenty-five dollars, as his contingent fund, less the

amount of stationery, stamps, etc., drawn by him; said warrant payable out of the Contingent Fund of the Assembly.

So ordered.

By Mr. McJunkin:

Resolved, That the Secretary of State be and he is hereby directed not to honor any further requisitions on his office by members of the Assembly.

So ordered.

By Mr. Watson of Alameda:

Resolved, That the Secretary of State be and he is hereby instructed to receive from the members of this Assembly, such unused articles of stationery, etc., drawn on requisition, as they may wish to return; *provided*, the packages or articles are unbroken and in good condition, and the same be credited to their account.

So ordered.

By Mr. Hazard:

Resolved, That the money collected as fines from the absentees on Thursday evening be paid to the Assistant Sergeants-at-Arms who brought said absentees before the bar of the House, and the Clerk is hereby directed to pay the same accordingly.

So ordered.

By Mr. Pellet:

Resolved, That S Bones be allowed per diem from the seventh day of January, 1885, the same as the other Pages of the Assembly, and the Controller is hereby authorized to draw his warrant in favor of S. Bones from the seventh day of January to the twentieth day of January, 1885, at a per diem of three dollars.

Referred to Committee on Attachés and Employés.

CONCURRENT RESOLUTION.

By Mr. McJunkin:

Resolved by the Assembly, the Senate concurring, That this Legislature adjourn sine die Saturday, March 6, 1885, at twelve o'clock noon.

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

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bill No. 272—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section, numbered three hundred and thirty-seven, for the punishment of certain persons who encourage gaming.

Assembly Bill No. 404—An Act to amend section one thousand four hundred and ninety of the Code of Civil Procedure, in relation to the notice to creditors in probate proceedings.

Assembly Bill No. 405—An Act to amend section one thousand four hundred and sixty-nine of the Code of Civil Procedure.

DEVENY, Chairman.

RECONSIDERATION.

Mr. Gregory moved to reconsider the vote whereby Assembly Bill No. 329 was passed.

The roll was called, and the House refused to reconsider the vote, by the following vote:

AYES—Messrs. Allen, Barnes, Barnett, Buhlert, Carter of Contra Costa, Coleman, Corcoran, DeWitt, Dooling, Ellison, Firebaugh, Gregory, Henley, Henry, Kalben, Long, Lovell, May, McLean, Mears, Moffitt, Morris, Munday, Pellet, Reeves, Roseberry, Russ, Swayne, Torrey, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Yule—36.

NOES—Messrs Ashe, Banbury, Black, Britt, Carter of Solano, Clark, Colby, Culver, Edwards, French, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Lafferty, Laughlin, Loud, McDonald, McGlashan, Pyle, Van Voorhies, Walrath, Watson of Alameda, Weaver, and Mr. Speaker—28.

REPORTS OF STANDING COMMITTEES.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1885.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 277—An Act concerning common carriers of water, and to define their duties.

Also, Assembly Bill No. 278—An Act to declare the title to water in rivers, streams, lakes, and ponds, and the right to its use.

Have had the same under consideration, and respectfully report the same back, without recommendation.

WALRATH, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1885.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 563—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

ALLEN, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1885.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 567—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FRENCH, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1885.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 19—Relative to Sumner's Postal Telegraph Bill—have amended the same, and now report the resolution back to the House, as amended, and recommend that the same be adopted, as amended.

RUSS, Chairman.

ON ATTACHES AND EMPLOYES.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1885.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred Assembly Resolution—Relative to the pay of John Barber, Porter of the Sergeant-at-Arms' rooms—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also, Assembly Resolution—Relative to the pay of George A. Edwards, Porter—have offered a substitute to the same, and recommend the passage of the substitute.

ASHE, for the Chairman.

RESOLUTIONS—(OUT OF ORDER).

WHEREAS, It has been the custom for many sessions of the Assembly of this State to employ one Page, whose duties were to receive bills from the Sergeant-at-Arms, and distribute them to the State officers, and whereas, during the present session of the Assembly no Page for such necessary purpose was employed, but in lieu thereof the Porter in the Sergeant-at-Arms' rooms was utilized in the performance of said indispensable labor; now, therefore, be it

Resolved, That the Porter in the Sergeant-at-Arms' rooms be and is hereby allowed the sum of sixty dollars during the session for such extra services rendered, and that the Controller of State be and is hereby authorized and requested to draw his warrant in favor of John Barber, Porter to Sergeant-at-Arms, for the said sum, and the Treasurer of State is authorized and empowered to pay the same.

Lost.

Substitute to Assembly Resolution, relative to pay of George A. Edwards:

Resolved, That George A. Edwards be and he is hereby allowed the sum of twenty-five dollars for upholsterer's work in the Assembly.

Lost.

Mr. McDonald offered the following substitute to the committee substitute:

Resolved, That George A. Edwards be and he is hereby allowed the sum of fifty dollars for taking care of the desks and chairs of the House, and seeing that the same were kept in good order and repair, payable out of the appropriation for the Contingent Fund of the Assembly.

Lost.

The question then being on the original resolution:

Resolved, That George A. Edwards be and he is hereby allowed one dollar per day, from the commencement of the session, for taking care of the desks and chairs of the House, and seeing that the same are kept in good order and repair, payable out of the Contingent Fund of the Assembly.

It was lost.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1885.

MR SPEAKER: Your Committee on Rules and Regulations, to whom was referred the following resolution

Resolved, That on the twenty-eighth of February, 1885, this House, after the consideration of the special file, and the third reading of bills, shall continue to the members of the Assembly in alphabetical order, the privilege of calling up one bill, as his name is called, beginning at the name next succeeding the last name accorded the same privilege this day—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

WEAVER, Chairman.

Resolution lost.

MOTION.

Mr. May moved that Assembly Bill No. 133 be taken up for consideration.

So ordered.

Mr. May moved that the rules be suspended, and that Assembly Bill No. 133 be considered without going into Committee of the Whole.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 133—An Act making an appropriation for the deficiency in the appropriation for salary of Guardian of the Yosemite Valley for the thirty-fifth fiscal year.

Read second time, ordered engrossed, and to be read third time.

MOTION.

Mr. Pellet moved that Assembly Bill No. 409 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 409—An Act to authorize the cremation of the dead, and the erection, construction, location, and operation of crematories.

Read second time, ordered engrossed, and to be read third time.

INTRODUCTION OF BILL.

Mr. Swayne asked permission to introduce a bill, under the constitutional provision requiring the consent of two thirds of the members of the Assembly.

The roll was called, and the House granted the permission by the following vote:

AYES—Messrs. Ashe, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Deveny, DeWitt, Edwards, Ellison, French, Goucher, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—62.

NOES—Messrs. Allen and McGlashan—2.

MATTER OF URGENCY.

Mr. Swayne moved that in accordance with the provisions of the Constitution, Assembly Bill No. 574—An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature—be made a matter of urgency, and that the provision of the Constitution requiring the reading of a bill on three separate days, be suspended, and that the bill be put upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Ashe, Banbury, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, DeWitt, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—58.

NOES—Messrs. Allen, Henry, and Long—3.

Bill read first time, and ordered to second reading.

Bill read second time.

Mr. Swayne moved that the rules be suspended, and that the bill be considered engrossed, and that it be read third time, and put upon its passage.

So ordered.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Banbury, Buhlert, Carter of Contra Costa, Colby, Coleman, Cook, Corcoran, Culver, Dooling, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Henley, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McLean, Mears, Moffitt, Morris, Munday, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—52.

NOES—Mr. Henry—1.

By permission of the House, the bill was immediately transmitted to the Senate.

MOTION.

Mr. Roseberry moved that Assembly Bill No. 534 be taken up for consideration.

Lost.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 309—An Act to appropriate money for the support of the Bureau of Labor Statistics.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Clark, Coleman, Cook, Corcoran, DeWitt, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Henley, Henry, Heywood, Hunt, Johnson, Jones, Jordan, Lafferty, Laughlin, Lovell, May, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Reeves, Russ, Swayne, Ward of San Francisco, Whitcomb, and Mr. Speaker—47.

NOES—Messrs Carter of Solano, Colby, Culver, Dooling, Hollister, Long, Loud, McGlashan, Pellet, Torrey, Watson of Alameda, Ward of Butte, Wood, and Woodward—14.

Title approved.

Speaker pro tem. Weaver in the chair.

Assembly Bill No. 398—An Act to repeal an Act entitled "An Act to divide the State into Senatorial Districts, and to provide for the election of Senators therein."

Read third time.

CALL OF THE HOUSE.

Mr. Henry moved a call of the House.

So ordered.

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

Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Loud moved that further proceedings under the call of the House be dispensed with.

So ordered.

Speaker Parks in the chair.

PASSAGE OF ASSEMBLY BILL No. 398.

The question then being on the passage of the bill, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Culver, Daley, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McGlashan, McJunkin, McLean, Mears, Patterson, Pyle, Reeves, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—52.

NOES—Messrs. Ashe, Barnett, Black, Britt, Clark, Corcoran, DeWitt, Dooling, Goucher, Gregory, Henley, Henry, Johnson, Loud, McDonald, Moffitt, Morris, Munday, Pellet, Roseberry, and Watson of El Dorado—21.

Title approved.

NOTICE OF RECONSIDERATION.

Mr. Coleman gave notice that he would move to reconsider the vote whereby Assembly Bill No. 398 was passed.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 213—An Act making an appropriation to pay the deficiency in the appropriation for the fund for the costs and expenses of suits in which the State is a party in interest for the thirty-fifth fiscal year.

Read third time.

Mr. Ellison moved to refer the bill to a select committee of one, with instructions to amend so as to read as follows:

AN ACT

Making an appropriation to pay the cost and expenses of a suit in which the State was a party against C. D. Bunker, Commissioner of Immigration.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of one thousand seven hundred and thirteen dollars and twenty-three cents is hereby appropriated, out of any money in the State Treasury in the fund designated as the "Leprosy Fund," not otherwise appropriated, for the payment of the costs and expenses of the suit in which the State was a party in interest against C. D. Bunker, Immigration Commissioner.

SEC. 2. This Act shall take effect immediately

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Ellison a select committee to amend Assembly Bill No. 213.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1885.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 231, with special instructions to amend as ordered by the House, would respectfully report that the instructions of the House have been carried out

J. F. ELLISON.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 131—An Act making an appropriation for the deficiency in the appropriation for support of the State Insane Asylum at Stockton for the thirty-fifth fiscal year.

Read third time.

Roll was called, and the bill passed by the following vote:

AYES—Messrs Ashe, Banbury, Barnett, Black, Buhlert, Carter of Contra Costa, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Johnson, Jones, Kalben, Laughlin, Loud, May, McDonald, McJunkin, McLean, Mears, Moffitt, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Torrey, Watson of Alameda, Watson of El Dorado, Ward of Butte, Whitcomb, Woodward, Yule, and Mr. Speaker—51.

NOES—Messrs Barnes, Henley, Henry, Heywood, Hollister, Long, McGlashan, Russ, Swayne, Ward of San Francisco, Weaver, and Wood—12.

Title approved.

CONCURRENT RESOLUTION.

By Mr. Jordan:

Resolved by the Assembly, the Senate concurring, That the Chief Clerk of the Assembly be directed to correct a clerical error by inserting the word "dollars" after the word "thousand," in section one of Assembly Bill No. 574.

So ordered.

MOTION TO ADJOURN.

At twelve o'clock M., Mr. McDonald moved to adjourn.
Lost.

CALL OF THE HOUSE.

Mr. McLean moved a call of the House.
So ordered.
The roll was called, and the following members answered to their names:

Messrs. Ashe, Banbury, Barnes, Barnett, Black, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.
Mr. Weaver moved that further proceedings under the call of the House be dispensed with.
So ordered.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 138—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fifth fiscal year.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ashe, Banbury, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McJunkin, McLean, Mears, Morris, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—62.
NOES—Messrs. Jordan and McGlashan—2

Title approved.

REPORT OF STANDING COMMITTEE.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1885.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 166—have had the same under consideration, and respectfully report the same back, without recommendation.

COLEMAN, Chairman.

MOTION.

Mr. Jordan moved that messages from the Senate be taken up.
So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 27, 1885.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 292—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

And have also concurred in Assembly amendments to Senate Bill No. 164—An Act to appropriate money for the purchase, construction, and completion of avenues, roads, trails, walks, and bridges, and generally to improve and preserve the territory within the limits of the Yosemite Valley and Mariposa Big Tree Grove.

And have also amended and passed Assembly Constitutional Amendment No. 15—A proposed amendment to article thirteen of the Constitution, relative to taxation—and respectfully ask your honorable body to concur in said amendments.

Also, that the Senate, on this day, appointed, as a Committee of Conference on the part of the Senate, Senators Foster, Kellogg, and Parker, to consider amendments to Assembly Bill No. 403—"An Act to establish a branch State Normal School in the northern part of the State of California, and to maintain the same"—to meet and confer with a like number to be appointed by the Assembly, and to report the action of said Committee of Conference to their respective bodies.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, February 28, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 574—An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, February 28, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Assembly Concurrent Resolution No. 23, relative to amending Assembly Bill No. 574.

EDWIN F. SMITH, Secretary.

CONSIDERATION OF SENATE MESSAGES.

Mr. Weaver moved that Senate Bills be placed on the special file without reference to committees.
So ordered.
Senate Bill No. 292 ordered on special file.
Assembly Constitutional Amendment No. 15 was taken up for consideration, having been amended by the Senate.

CALL OF THE HOUSE.

Mr. Jordan moved a call of the House.
So ordered.
The roll was called, and the following members answered to their names:

Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Yule moved that further proceedings under the call of the House be dispensed with.

So ordered.

MOTION.

Mr. Jordan moved that the hour of recess be extended until one o'clock P. M.

So ordered.

Consideration of Senate amendments to Assembly Constitutional Amendment No. 15 resumed.

The amendments to Assembly Constitutional Amendment No. 15 were taken up and considered in their order, as follows:

AMENDMENT NUMBER ONE.

Amend section one, by inserting after the word "taxation," on line eight, page one, the following words "Growing vines and fruit trees shall be deemed to be and shall be assessed and taxed as a part of the realty."

The House refused to concur in the amendments by the following vote:

AYES—Messrs Allen, Ashe, Banbury, Barnes Buhlert, Colby, Cook, Culver, Daley, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, Mears, Patterson, Pellet, Pyle, Torrey, Walrath, Watson of Alameda, Ward of San Francisco, Whitcomb, and Mr Speaker—41.

NOES—Messrs. Barnett, Black, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Hazard, Henley, Henry, Johnson, McDonald, McLean, Moffitt, Munday, Reeves, Roseberry, Russ, Watson of El Dorado, Ward of Butte, Weaver, Wood, and Woodward—27.

AMENDMENT NUMBER TWO.

Also, amend section ten, by inserting after the word "franchise," on line eight, the word "business."

Amendment concurred in by the House by the following vote:

AYES—Messrs Allen, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Corcoran, Culver, Daley, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—55

NOES—Messrs Ashe, Black, Clark, Coleman, DeWitt, Dooling, Gregory, Hazard, Henley, Henry, Johnson, Moffitt, Munday, and Watson of El Dorado—14

NOTICE OF RECONSIDERATION.

Mr. Weaver gave notice that he would move to reconsider the vote whereby the House refused to concur in the first Senate amendment voted on.

MOTION.

Mr. Jordan moved to make the further consideration of the amendment a special order for two o'clock P. M. Monday, March 2, 1885.

So ordered.

MOTION TO ADJOURN.

At twelve o'clock and fifty-five minutes P. M., Mr. Deveny moved that the House adjourn until one o'clock P. M. on Monday, March 2, 1885.

Roll call demanded by Messrs Hazard, May, and Black.

The motion was lost by the following vote:

AYES—Messrs Colby, Coleman, Culver, Daley, Deveny, Ellison, Franklin, French, Hollister, Hunt, Kalben, Lafferty, McDonald, McLean, Moffitt, and Mr. Speaker—16.

NOES—Messrs. Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, DeWitt, Dooling, Douglas, Edwards, Firebaugh, Goucher, Gregory, Hazard, Heath, Henley, Henry, Johnson, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, Mears, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Swayne, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, and Woodward—47.

RECESS

At one o'clock P. M. the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker pro tem. Weaver in the chair.

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

Messrs. Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, DeWitt, Dooling, Ellison, Firebaugh, Hazard, Heath, Henley, Hollister, Hunt, Jones, Jordan, Laughlin, Long, Loud, Lovell, McGlashan, McLean, Mears, Moffitt, Munday, Pellet, Reeves, Roseberry, Russ, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, and Yule

Quorum present.

LEAVE OF ABSENCE.

Messrs. Sullivan, Morris, Jones, McJunkin, Coleman, Parks, Pyle, Lafferty, French, and Swayne were granted leave of absence for one day.

SPECIAL ORDER.

The special order for this day being next in order, Assembly Bill No. 573—An Act to provide for the submission to the qualified electors of the State, for their approval, the amendment or amendments to the Constitution of the State of California proposed by the Legislature thereof at its twenty-sixth session—was taken up.

Mr. Munday moved that the bill be made a special order for Monday, March 2, 1883, at two o'clock and thirty minutes P. M.

So ordered.

SPECIAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 129—An Act making an appropriation for the deficiency in the appropriation for transportation of the insane for the thirty-fifth fiscal year.

Passed on file.

Assembly Bill No. 572—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident

to the holding of a National Encampment of the Grand Army of the Republic in this State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Solano, Colby, Cook, Corcoran, Culver, Davis, Douglas, Ellison, Firebaugh, Gregory, Hazard, Heath, Henley, Hollister, Hunt, Jones, Jordan, Laughlin, Long, Loud, Lovell, McGlashan, Mears, Munday, Pellet, Reeves, Roseberry, Russ, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Yule—43.

NOES—Messrs Black, Carter of Contra Costa, Clark, DeWitt, Dooling, Henry, Van Voorhies, and Watson of El Dorado—8.

Title approved.

Assembly Bill No. 503—An Act to amend section two thousand seven hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, Dooling, Douglas, Ellison, Firebaugh, Gregory, Heath, Henley, Hollister, Hunt, Johnson, Jones, Jordan, Laughlin, Long, Loud, Lovell, McGlashan, McLean, Mears, Munday, Pellet, Reeves, Swayne, Torrey, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Yule—49.

NOES—None.

Title approved.

CALL OF THE HOUSE.

Mr. Douglas moved a call of the House.

So ordered.

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

Messrs Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Goucher, Gregory, Heath, Henley, Henry, Hollister, Hunt, Johnson, Jones, Jordan, Laughlin, Long, Loud, Lovell, McGlashan, McLean, Mears, Munday, Pellet, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Yule.

Quorum present.

Mr. Loud moved that the absentees be granted leave of absence.

Lost.

Mr. Corcoran moved that the Sergeant-at-Arms be directed to bring in the absentees.

So ordered.

Mr. Loud moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Swayne moved that further proceedings under the call of the House be dispensed with.

Lost.

By unanimous consent of the House, the Committee on State Prisons was granted leave of absence.

Mr. McGlashan moved that further proceedings under the call of the House be dispensed with.

Lost.

The Sergeant-at-Arms presented at the bar of the House Mr. Patterson.

Mr. Munday moved that he be fined three dollars.

So ordered.

Mr. DeWitt moved to reconsider the vote whereby Mr. Patterson was fined three dollars.

So ordered.

The question then being upon imposing a fine of three dollars upon Mr. Patterson, it was lost.

Mr. Heath moved that Mr. Patterson be fined one dollar.

So ordered.

Mr. Walrath moved that further proceedings under the call of the House be dispensed with.

Lost

Mr DeWitt moved that Mr. Patterson's fine be remitted.

Lost.

Mr. Henley moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Corcoran moved that further proceedings under the call of the House be dispensed with.

So ordered.

MOTION.

Mr. Lovell moved that each member be allowed to call up a bill in the order in which his name appears on the roll of the House, to begin with the name where the House left off on Friday.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 529—An Act to appropriate money to pay the claim of W. F. Boardman, Grant I. Taggart, and Charles T. H. Palmer, assignee of Sherman Day, for services as Commissioners in the action of The People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeiffer et al., in the Third District Court for Alameda County.

Read first time, and ordered to second reading.

Assembly Bill No. 545—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor.

Read first time, and ordered to second reading.

Mr. Goucher moved that Assembly Bill No. 545 be placed on special file.

So ordered.

Assembly Bill No. 533—An Act to amend section three thousand seven hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sales.

Read first time, and ordered to second reading.

Senate Bill No. 83—An Act to amend section three hundred and fifty-nine of an Act to establish a Civil Code, approved March 21, 1872, relating to powers of corporations.

Read first time, and ordered to second reading.

Assembly Bill No. 305—An Act for the relief of William Pyburn, or assignees, for services rendered as private in defending the eastern frontier against the attacks of Indians.

Read first time, and ordered to second reading.

Assembly Bill No. 564—An Act to amend section one thousand two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the change of names.

Read first time, and ordered to second reading.

Assembly Bill No. 532—An Act to amend section three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sales.

Read first time, and ordered to second reading.

Assembly Bill No. 394—An Act in relation to trespassing animals.

Read first time, and ordered to second reading.

Mr. Munday moved that the bill be placed on the special file.

So ordered.

Assembly Bill No. 518—An Act to add a new section to the Political Code, to be numbered section three thousand five hundred and fifty-seven, relative to proceedings against delinquent purchasers.

Read first time, and ordered to second reading.

Mr. Roseberry moved that the bill be placed on special file.

So ordered.

Assembly Bill No. 357—An Act to create and establish a State Board of Sheep Husbandry, and to appropriate money for the expenses thereof.

Read first time, and ordered to second reading.

Assembly Bill No. 424—An Act to provide for the payment of the claim of Colonel W. B. Burtis, for special services performed by him as Second Lieutenant, Company F, Second Infantry Regiment, Second Brigade, National Guard California, pursuant to Special Orders Number Twenty-six, series 1880, issued from General Headquarters.

Read first time, and ordered to second reading.

Assembly Bill No. 175—An Act to pay the claim of the widow of P. T. Morris for work done for the State, and for the illegal confiscation of personal property.

Read first time, and ordered to second reading.

Senate Bill No. 166—An Act to authorize the Board of Fish Commissioners of this State to build and maintain a salmon hatchery, and providing ways and means therefor.

Read first time, and ordered to second reading.

Assembly Bill No. 542—An Act to add a section to the Penal Code, to be numbered two hundred and sixty-eight, to punish seduction.

Read first time, and ordered to second reading.

Assembly Bill No. 440—An Act to encourage the destruction of seals and sea lions.

Read first time, and ordered to second reading.

Assembly Bill No. 527—An Act to appropriate the sum of six hundred and fifty dollars for payment of the claim of C. C. Rachford, Sheriff of Modoc County.

Read first time, and ordered to second reading.

Assembly Bill No. 185—An Act to amend section one thousand one hundred and seventy of the Penal Code.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 571—An Act to allow mileage to Sheriffs for conveying prisoners to the State Prisons and insane persons to the insane asylums, in lieu of per diem and expenses.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 327—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be known as section six hundred and three, relating to the formation of religious incorporations for building and administering church property.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 363—An Act to amend section one thousand one hundred and eighty-one of the Civil Code, relative to Circuit Court Commissioners.

Read second time.

The Committee on Judiciary moved to amend the title so as to read as follows:

An Act to amend section one thousand one hundred and eighty-one of the Civil Code.

So ordered.

Ordered engrossed, and to be read third time.

Assembly Bill No. 308—An Act to authorize the Board of Fish Commissioners of this State to construct a steam launch, to aid in carrying out the purposes of said Board, and providing for the payment of claims incurred in said construction

Mr. Jones moved that the rules be suspended, and that the bill be considered without going into Committee of the Whole.

So ordered.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 562—An Act to provide for the grading and graveling of that portion of N Street, between Tenth and Fifteenth Streets, in the City of Sacramento, adjoining the State Capitol grounds, and to provide for payment of the same.

Mr. Jones moved that the rules be suspended, and that the bill be considered without going into Committee of the Whole.

So ordered.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 450—An Act to abolish all Commissioners, or Boards of Commissioners, heretofore created or appointed to construct or to complete the construction of any building or edifice for any county, or city and county, and providing for the Boards of Supervisors, or other governing body, of any county, or city and county, constructing or completing the construction of any building authorized to be erected for county, or city and county, uses, and repealing all conflicting Acts heretofore passed.

Read second time, ordered engrossed, and to be read third time.

Mr. Lovell moved that Assembly Bill No. 450 be placed on special file.

So ordered.

Assembly Bill No. 212—An Act to amend section four hundred and nineteen of the Civil Code.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 40—An Act to amend an Act entitled "An Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled 'An Act to establish a Political Code,'" approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two, in said Code, relating to roads and highways.

Read second time.

The Committee on Roads and Highways offered to amend the title so as to read as follows:

An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section, to be known and numbered as section two thousand six hundred and forty-six, relative to roads and highways.

Also, amend section two thousand six hundred and forty-six, so as to read as follows:

Section 2646. The Boards of Supervisors of the several counties of this State may, upon a petition of a majority of the property taxpayers as shown by the last assessment roll of the county, of either, if the road districts of their respective counties divide said road district or road districts into sections of from two to fifteen miles in length each, according to natural boundaries, or as circumstances may require.

So ordered.

Also, amend by striking out clause seven, section two thousand six hundred and forty-six.

So ordered.

Ordered engrossed, and to be read third time.

Mr. Mears moved that the bill be placed on special file.

So ordered.

Assembly Bill No. 160—An Act to amend section two thousand six hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved February 28, 1883, relative to roads and highways.

Read second time.

The Committee on Roads and Highways offered to amend as follows: amend section two thousand six hundred and forty-two so as to read as follows:

2642. The Board of Supervisors of each county may appoint one Road Overseer, or Roadmaster, for each or any road district in their respective counties; such Overseer, or Roadmaster, to be an elector of the district for which he is appointed, who shall hold office for and during the pleasure of the Board, not to exceed two years, and who shall, under the direction of the Road Commissioner of his district, perform the duties hereinafter in this chapter specified. All Acts and parts of Acts in conflict with this Act are hereby repealed.

So ordered.

Mr. Patterson moved to amend as follows: amend section one, line nine, by inserting the following after the word "specified": "If the Board does not appoint Road Overseers, the Road Commissioners within their respective districts shall perform the duties imposed on Road Overseers by the provisions of this chapter, and shall receive therefor the same compensation that Road Overseers are entitled to receive; *provided*, that all Road Overseers, Roadmasters, or Road Commissioners now in office by election must hold office and exercise the duties thereof for the terms for which they were elected."

So ordered.

Ordered engrossed, and to be read third time.

Mr. Patterson moved that the bill be placed on special file.

So ordered.

Assembly Bill No. 151—An Act prescribing the mode of maintaining and defending possessory action on unsurveyed public lands in this State.

Read second time.

Mr. Reeves moved to amend as follows: strike out of section one, line one, the words "person now occupying and settled," and insert in lieu thereof, the words "bona fide settler."

So ordered.

Bill ordered engrossed, and to be read third time.

Senate Bill No. 282—An Act to provide an additional asylum for the insane of the State of California.

Mr. Lovell moved that the rules be suspended, and that the bill be considered without going into Committee of the Whole.

So ordered.

MOTION.

At four o'clock and forty-five minutes P. M., Mr. Henry moved that the House adjourn.

Lost

Mr. Corcoran offered a substitute to the bill, which was read.

Mr. Woodward moved that the further consideration of the bill be made a special order for Monday, March 2, 1885, at two o'clock P. M.

So ordered.

Assembly Bill No. 157—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure.

Read second time.

The Committee on Judiciary offered to amend as follows: amend by inserting the word "previous," between the words "days" and "notice," in line nine, so that it shall read: "Either party upon five days' previous notice to the other;" section two to be stricken out.

So ordered.

Ordered engrossed, and to be read third time.

Assembly Bill No. 406—An Act to compel individuals, companies, or corporations, possessing, owning, or controlling water for purposes of irrigating or mining, to distribute the water pro rata among purchasers in times of scarcity or drought.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 244—An Act to amend section three thousand four hundred and ninety-eight of the Political Code.

The Committee on Judiciary offered a substitute, which was read and adopted.

Ordered engrossed, and to be read third time.

Mr. Walrath moved that the bill be placed on special file.

So ordered.

Assembly Bill No. 487—An Act to amend section one thousand four hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the State Normal School.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 348—An Act to appropriate fifteen thousand dollars for the erection of a monument commemorative of the discovery

of gold in California, the same to be erected after the death of James W. Marshall, the discoverer of gold; the said sum to be invested in such securities as the State Board of Examiners may deem best, and the interest accruing therefrom to be paid to the said James W. Marshall during his lifetime.

Mr. Watson of El Dorado moved that the rules be suspended, and that the bill be considered without going into Committee of the Whole.

So ordered.

The Committee on Mines and Mining offered a substitute, which was read and adopted.

Ordered engrossed, and to be read third time.

Assembly Bill No. 486—An Act to amend section one thousand five hundred and twenty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, fixing the powers and duties of the State Board of Education.

Read second time, ordered engrossed, and to be read third time.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 488—An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern.

Assembly Bill No. 315—An Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to town lands granted to the unincorporated towns in this State by the Act of Congress, entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,'" approved March 2, 1867, approved March 13, 1868.

Assembly Bill No. 307—An Act to amend section twenty-five, subdivision four, of the Political Code, relating to an Act to establish a uniform system of county and township governments, approved March 14, 1883.

Assembly Bill No. 242—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the support of the government of the State.

Assembly Bill No. 454—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Assembly Bill No. 419—An Act to prevent the sale of tobacco to minors.

Assembly Bill No. 455—An Act making an appropriation for the deficiency in the appropriation for official advertisements for the thirty-sixth fiscal year.

Assembly Bill No. 442—An Act making it the duty of the Secretary of State to furnish all public libraries with copies of State documents.

Assembly Bill No. 311—An Act to authorize the Chief of Police of any city, or city and county, to appoint an interpreter of the Italian language and dialects in criminal proceedings in said cities and cities and counties.

Assembly Bill No. 213—An Act making an appropriation to pay the deficiency in the appropriation for the fund for the costs and expenses of suits in which the State is a party in interest for the thirty-fifth fiscal year.

Assembly Bill No. 133—An Act making an appropriation for the deficiency in the appropriation for salary of Guardian of Yosemite Valley for thirty-fifth fiscal year.

Assembly Bill No. 409—An Act to authorize the cremation of the dead, and the erection, construction, location, and operation of crematories.

DEVENY, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Munday:

Resolved, That when the Assembly adjourns, it adjourns to meet at one o'clock P. M. Monday.

So ordered.

By Mr. Goucher:

WHEREAS, It has come to the knowledge of the Assembly, that under a call of the House on this twenty-eighth day of February, 1885, certain members named among the absentees refused to recognize the authority of this House, and of the Sergeant-at-Arms, acting under order of this House: therefore, be it

Resolved, That on Monday, March 2, 1885, immediately after the reading of the Journal, the Sergeant-at-Arms of this Assembly be required to present all members so refusing at the bar of the House, there to show cause why they shall not be punished for contempt.

So ordered.

By Mr. Patterson:

WHEREAS, The Journal Clerk of the Assembly has kept the Journal in a most creditable manner, and, to give it a presentable and respectable appearance has devoted extra time in ruling said Journal, for which he has received no extra compensation; therefore, be it

Resolved, That the Journal Clerk of the Assembly be allowed the sum of one hundred dollars for comparing and ruling the Journal, and the Controller of State be and he is hereby authorized and directed to draw his warrant in favor of Frank J. Brandon for the above sum, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

ADJOURNMENT.

At five o'clock and fifteen minutes P. M., on motion of Mr. Edwards, the House adjourned until Monday, March 2, 1885, at one o'clock P. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 2, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Messrs. McLean, Johnson, Corcoran, and Morris were granted leave of absence for one day.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1885

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed.

Substitute for Assembly Bills Nos. 561, 179, 31, 244, and 348.

Assembly Bills Nos. 562, 151, 157, 40, 362, 160, 212, 486, 571, 185, 450, 406, 487, 327, and 308.

DEVENY, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1885.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 560—An Act to amend section one thousand four hundred and twenty-two of the Civil Code, relating to riparian rights.

Also, Assembly Bill No. 446—An Act to amend sections three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-seven, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and four thousand two hundred and thirty-six of the Political Code.

Also, Assembly Bill No. 365—An Act to amend sections one thousand four hundred and thirty-one, one thousand four hundred and thirty-two, and one thousand four hundred and sixty-eight of the Penal Code, relative to proceedings in Justices' and Police Courts, and appeals to Superior Courts.

Also, Assembly Bill No. 423—An Act to amend an Act entitled "An Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled 'An Act to establish a Political Code,' approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two in said Code, relating to roads and highways."

Also, Assembly Bill No. 285—An Act adding a new section to an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, to be and become section three hundred and ninety thereof, and relating to parties to actions and proceedings, especially the representative capacity of administrators, executors, and guardians as parties.

Also, Assembly Bill No. 492—An Act to amend section three thousand nine hundred and seventy of the Political Code, relating to collection of personal property taxes.

Also, Assembly Bill No. 322—An Act to add a new chapter to the Civil Code of the State of California, to be known as chapter eight, of title fourteen, of part four, of division three, and new sections to said Code, to be known as sections three thousand and eighty-one and three thousand and eighty-two, relating to the duties and liabilities of persons carrying on business as pawnbrokers or pledgees.

Respectfully recommend that they do not pass.

Also, Assembly Bill No. 530—An Act to amend an Act entitled "An Act in relation to the care of orphan and abandoned children," approved March 7, 1883—respectfully report the same back, without recommendation.

Also, Assembly Bill No. 475—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure, relating to phonographic reporters.

Also, Assembly Bill No. 535—An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Also, Assembly Bill No. 555—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as section eight hundred and sixty-one, relating to practice in Justices' Courts.

Also, Assembly Bill No. 525—An Act relating to an Act entitled "An Act concerning trespassing of animals upon private lands in certain counties in the State of California," approved March 7, 1878, so far as the same relates to Humboldt County.

Also, Assembly Bill No. 460—An Act to add a new section to the Penal Code, to be known as section one hundred and eighty, entitled "An Act to regulate the practice of law in Police Courts, and Police Judges' Courts, in incorporated cities, and cities and counties, and to prescribe who may practice law therein."

Also, Assembly Bill No. 554—An Act to amend section eight hundred and fifty-one of the Code of Civil Procedure, relating to pleadings in Justices' Courts.

Also, Assembly Bill No. 465—An Act to amend sections one thousand two hundred and seventy-five and one thousand three hundred and thirteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Also, Assembly Bill No. 457—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure.

Also, Assembly Bill No. 474—An Act to amend section one thousand seven hundred and eighteen of the Code of Civil Procedure, relating to attorneys' fees in probate proceedings.

Also, Assembly Bill No. 556—An Act to amend section eight hundred and ninety-two of the Code of Civil Procedure, relating to the time of entering judgment in Justices' Courts.

Also, Assembly Bill No. 566—An Act to amend an Act to establish a Code of Civil Procedure, approved March 11, 1872.

Also, Assembly Bill No. 343—An Act to amend section six hundred and seventy-five of the Code of Civil Procedure, and to add three new sections to said Code, concerning agreements for the compensation of attorneys at law.

Also, Assembly Bill No. 256—An Act to add a new section to the Penal Code, to be known as four hundred and two, relative to the practice of dentistry.

Also, Assembly Bill No. 569—An Act to amend section two hundred and sixty-one of the Penal Code.

Also, Assembly Bill No. 517—An Act to authorize Joseph Neumann to sue the State.

Respectfully recommend that they do not pass.

Also, Assembly Bill No. 316—An Act for the relief of Warren Green—respectfully recommend that it do pass

Also, Assembly Bill No. 270—An Act to authorize magistrates to appoint clerks to write in longhand the testimony upon the examination of criminal charges, and fixing fees of the same—recommend that it do pass, as amended.

Also, Assembly Bill No. 418—An Act to amend chapter five, article three, section one hundred and ten, of the Code of Civil Procedure, in relation to Justices of the Peace and Justices' Courts in general—respectfully recommend that it do pass.

Also, Assembly Bill No. 559—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, relating to eminent domain—respectfully recommend that it do pass.

ELLISON, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1885.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 437—An Act to amend sections two thousand five hundred and forty-six, two thousand five hundred and fifty-two, two thousand five hundred and sixty-four, two thousand five hundred and sixty-eight, two thousand five hundred and eighty-seven, two thousand five hundred and ninety, two thousand five hundred and ninety-one, and to repeal sections two thousand five hundred and forty-one, two thousand five hundred and forty-two, two thousand five hundred and fifty-one, two thousand five hundred and fifty-three, two thousand five hundred and fifty-four, two thousand five hundred and fifty-five, two thousand five hundred and fifty-eight, two thousand five hundred and sixty-eight, and two thousand five hundred and eighty-eight of an Act passed March 21, 1872, and entitled "An Act to establish a Civil Code."

Also, Assembly Bill No. 507—An Act to amend the Civil Code, relative to insurance.

Also, Assembly Bill No. 508—An Act to amend the Civil Code, relative to insurance.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

JONES, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1885.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 224—An Act to amend section twenty-five of an Act to establish a uniform system of county and township governments

Also, Assembly Bill No. 491—An Act to amend section twenty-five, subdivision twenty-seven, of the Political Code, relating to an Act to establish a uniform system of county and township governments, approved March 14, 1883.

Also, Assembly Bill No. 543—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, relative to the duties of Coroners and Justices of the Peace holding inquests.

Also, the accompanying petitions, relative to establishing new counties.

Have had the same under consideration, and respectfully report the same back, without recommendation.

EDWARDS, Chairman.

ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1885.

MR SPEAKER: Your Committee on Elections, to whom was referred Assembly Resolution—Relative to the claim of W. B. Tyler, for expenses incurred in the election contest of Tyler vs. Morris—have had the same under consideration, and respectfully recommend that the same be allowed.

McMURRAY, Chairman.

Resolution lost.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1885.

MR SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 570—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

ALLEN, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Allen:

Resolved, That the Secretary of State be and he is hereby authorized and directed to furnish a copy of the Journal of the Assembly of the twenty-sixth session of the Legislature to each member of the House, each Clerk and Assistant Clerk of the Assembly, Chaplain, and the representatives of the press in the Assembly; and that the Chief Clerk of the Assembly is directed to furnish the Secretary of State the names of persons entitled, under this resolution, to receive such copy of the Journal.

So ordered.

By Mr. Gregory:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to turn over all the property, books, and papers of his office to the Secretary of State at the close of the session of the Legislature, taking the receipt of the Secretary of State for the same. Upon production of said receipt the Controller of State is hereby directed to draw his warrant for the sum of seventy-five dollars in favor of Jerome Porter, Sergeant-at-Arms, payable out of the appropriation for the Contingent Fund of the Assembly, and the Treasurer of State is hereby directed to pay the same.

So ordered.

CONTEMPT PROCEEDINGS AGAINST ABSENTEES.

Mr. May moved to discharge the order made on Saturday, February 28, 1885, directing the Sergeant-at-Arms to present at the bar of the House those certain members who refused to recognize the authority of the House, under the call of the House.

Lost.

Mr. Deveny was excused, on motion of Mr. Coleman.

Mr. McDonald was excused, on motion of Mr. Franklin.

Mr. Kalben was excused, on motion of Mr. Yule.

MOTION.

Mr. Jordan moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 28, 1885.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, refused to read a second time Assembly Bill No 13—An Act to amend section three thousand nine hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the boundaries of Lake County.

And passed Assembly Bill No. 262—An Act providing for the construction of a public morgue in the City and County of San Francisco.

Also, passed Senate Bill No. 47—An Act to prevent the overcrowding of asylums for the insane.

Also, passed Senate Bill No. 63—An Act to amend an Act entitled "An Act for the protection of miners," approved March 16, 1872.

Also, passed Senate Bill No. 269—An Act to amend section three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale

Also, passed Senate Bill No. 270—An Act to amend section three thousand seven hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Also, passed Senate Bill No 106—An Act to amend section three thousand eight hundred and twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the manner of collection of taxes, by the Assessor, on certain personal property

Also, passed Senate Bill No. 176—An Act concerning municipal corporations.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 47 was referred to Committee on State Hospitals.

Senate Bill No. 63 was referred to Committee on Mines and Mining Interests.

Senate Bill No. 106 was referred to Committee on Ways and Means.

Senate Bills Nos. 270, 176, and 269, were ordered placed on special file, on motion of Mr. Jordan.

SPECIAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 213—An Act making an appropriation to pay the deficiency in the appropriation for the fund for the costs and expenses of suits in which the State is a party in interest, for the thirty-fifth fiscal year.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Clark, Colby, Coleman, Culver, Daley, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Lovell, May, McDonald, McJunkin, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Van Voorhies, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, and Mr. Speaker—59.

NOES—Messrs. Carter of Solano, Davis, Long, McGlashan, Torrey, and Watson of Alameda—6.

Title approved.

SPECIAL ORDER.

The hour for the consideration of special order for two o'clock P. M. this day having arrived, Assembly Constitutional Amendment No. 15—Proposed amendment to article thirteen of the Constitution, relative to taxation—was taken up.

Mr. Jordan moved that the consideration of Constitutional Amendment No. 15, and the motion to reconsider the vote whereby the House refused to concur in the first Senate amendment voted on, be made a special order for Tuesday, March 3, 1885, at eleven o'clock A. M.

Mr. Munday moved to amend, by making it a special order for Friday, March 6, 1885, at two o'clock P. M.

Lost.

The question then recurring on the motion of Mr. Jordan, the roll call was demanded by Messrs. Munday, Coleman, and Henley.

It was so ordered by the following vote:

AYES—Messrs. Allen, Almy, Barnes, Barnett, Black, Britt, Buhlert, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Franklin, French, Goucher, Heath, Heywood, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—52.

NOES—Messrs. Ashe, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, DeWitt, Dooling, Hazard, Henley, Henry, Moffitt, Munday, Roseberry, Watson of El Dorado, and Ward of Butte—16.

RECONSIDERATION.

Mr. Coleman moved to reconsider the vote whereby Assembly Bill No. 398 was passed.

Speaker pro tem. Weaver in the chair.

MOTION.

Mr. Jordan moved that the special order for two o'clock and thirty minutes P. M. this day, be made a special order for Tuesday, March 3, 1885, at eleven o'clock and thirty minutes A. M.

So ordered.

The question then being upon the motion to reconsider, the roll was called, and the House refused to reconsider the vote by the following vote:

AYES—Messrs Ashe, Barnett, Black, Britt, Clark, Coleman, DeWitt, Dooling, Edwards, Goucher, Gregory, Hazard, Henley, Henry, Loud, McDonald, Moffitt, Munday, and Watson of El Dorado—19.

NOES—Messrs Allen, Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Daley, Davis, Deveny, Douglas, Firebaugh, Franklin, French, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Patterson, Pellet, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—54.

RESOLUTION—(OUT OF ORDER).

By Mr. Coleman:

Resolved, That the sum of five hundred dollars be and hereby is directed to be paid to the Chief Clerk of the Assembly out of the appropriation for the Contingent Fund of the Assembly; said sum to be distributed by said Chief Clerk to himself and such other clerks who have performed and rendered services in compiling the Weekly History of Assembly Bills, Constitutional Amendments, and Concurrent Resolutions.

Referred to Committee on Attachés and Employés.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled:

Assembly Bill No 574—Entitled "An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature"

And that the same was, at two o'clock and fifteen minutes P. M., March 2, 1885, presented to the Governor for his approval.

DALEY, Chairman.

SPECIAL ORDER.

The hour for the consideration of special orders for three o'clock P. M. this day having arrived, Senate Bill No. 282—An Act to provide an additional asylum for the insane of the State of California—was taken up.

Mr. Edwards moved to amend as follows: amend section, after the word "State," in line four, so as to read as follows: "*provided*, that in locating said asylum the Trustees shall give the preference to a site for such asylum lying south of the thirty-fifth parallel of north latitude."

Pending.

Mr. Heath moved that the further consideration of the bill be made a special order for Tuesday, March 3, 1885, at two o'clock P. M.

So ordered.

COMMUNICATION.

SACRAMENTO, CAL., March 2, 1885.

MR. SPEAKER. The State Librarian requests that members and attachés return to the State Library all books taken therefrom. Under sections two thousand two hundred and ninety-seven and two thousand two hundred and ninety-eight of the Political Code, the Librarian will, on Wednesday next, notify the Controller of such as are still delinquent upon his books, who will thereupon refuse to draw his warrant in favor of such delinquent.

TALBOT H. WALLIS.

INTRODUCTION OF BILL.

Mr. May asked permission to introduce a bill under the constitutional provision requiring the consent of two thirds of the members of the Assembly.

Permission was granted by unanimous consent of the House.

MATTER OF URGENCY.

Mr. May moved that, in accordance with the provision of the Constitution, Assembly Bill No. 575—An Act to provide for the per diem of members of the Assembly for the twenty-sixth session of the Legislature—be made a matter of urgency, and that the provision of the Constitution requiring the reading of a bill on three separate days be suspended, and that the bill be read second and third times.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Culver, Daley, Davis, DeWitt, Edwards, Ellison, Firebaugh, Franklin, Gregory, Hazard, Heath, Henley, Hollister, Hussey, Jones, Jordan, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Moffitt, Patterson, Pellet, Porter, Pyle, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—57.

NOES—Mr. Henry—1.

Bill read first time, and ordered to second reading.

Bill read second time.

Mr. May moved that the rules be suspended, and that the bill be considered engrossed, and that it be read third time, and put upon its passage.

So ordered.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Culver, Daley, Davis, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Franklin, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Hussey, Jones, Jordan, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Pellet, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—62.

NOES—Mr. Henry—1.

Title approved.

MOTION.

Mr. Porter moved that Assembly Bill No. 488 be taken up for passage.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 488—An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Coleman, Cook, Culver, Davis, DeWitt, Dooling, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Henry, Hollister, Hussey, Jones, Laughlin, May, McGlashan, McJunkin, McLean, McMurray, Mears, Pellet, Porter, Russ, Sullivan, Torrey, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—46.

NOES—None.

Title approved.

Mr. Porter moved that the bill be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Coleman moved that Assembly Bill No. 459 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 459—An Act for the relief of Thomas W. Lathrop, ex-Sheriff of the County of San Mateo.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Coleman, Cook, Culver, Davis, Dooling, Edwards, Ellison, Firebaugh, Franklin, Gregory, Hazard, Heywood, Hollister, Hussey, Jones, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Patterson, Pellet, Porter, Russ, Sullivan, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—54.

NOES—None.

Title approved.

Mr. Coleman moved that the bill be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Carter of Contra Costa moved that Senate Bill No. 97 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 97—An Act to prevent the spreading of fruit and fruit tree pests and diseases, and to provide for their extirpation.

Read third time.

Mr. Hollister moved that the consideration of the bill be indefinitely postponed.

Mr. Britt moved to amend, by making the bill a special order for Tuesday, March 3, 1885, at three o'clock P. M.

So ordered.

SPECIAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 129—An Act making an appropriation for the deficiency in the appropriation for transportation of the insane for the thirty-fifth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Black, Britt, Carter of Contra Costa, Clark, Cook, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Goucher, Gregory, Hazard, Heath, Hussey, Jones, Lafferty, Laughlin, Lovell, May, McDonald, McJunkin, McLean, McMurray, Mears, Moffitt, Patterson, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Watson of Alameda, Ward of Butte, Woodward, Yule, and Mr. Speaker—46.

NOES—Messrs. Carter of Solano, Culver, McGlashan, Pellet, Walrath, Watson of El Dorado, Ward of San Francisco, and Weaver—8.

Title approved.

Assembly Constitutional Amendment No. 10—Proposed amendment to article six of the Constitution, relative to salaries of Justices of the Supreme Court and Superior Court Judges.

Read third time.

CALL OF THE HOUSE.

Mr. Goucher moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Pattetson, Pellet, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Loud moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then being upon the passage of Constitutional Amendment No. 10, the roll was called, and the Constitutional Amendment was lost by the following vote:

AYES—Messrs. Allen, Ashe, Barnett, Britt, Clark, Cook, Daley, Davis, Deveny, DeWitt, Ellison, Franklin, Heath, Hollister, Jones, Jordan, Lafferty, Long, May, McDonald, McJunkin, McMurray, Moffitt, Munday, Patterson, Porter, Pyle, Russ, Sullivan, Torrey, Walrath, Watson of El Dorado, Ward of San Francisco, and Mr Speaker—34.

NOES—Messrs Almy, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Dooling, Douglas, Edwards, Firebaugh, Goucher, Gregory, Hazard, Henley, Henry, Heywood, Laughlin, Loud, Lovell, McGlashan, McLean, Mears, Pellet, Roseberry, Swayne, Van Voorhies, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Yule—35.

NOTICE OF RECONSIDERATION.

Mr. Goucher gave notice that he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 10 was lost.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 562—An Act to provide for the grading and graveling of that portion of N Street, between Tenth and Thirteenth Streets, in the City of Sacramento, adjoining the State Capitol grounds, and to provide for the payment of the same.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Culver, Davis, Deveny, Douglas, Edwards, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Jones, Jordan, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Woodward, Yule, and Mr. Speaker—61.

NOES—Messrs DeWitt, Dooling, Ellison, and Henry—4.

Title approved.

Mr. Jones moved that the bill be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 455—An Act making an appropriation for the deficiency in the appropriation for official advertisements for the thirty-sixth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Solano, Clark, Colby, Cook, Culver, Davis, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Goucher, Gregory, Hazard, Heath, Heywood, Hollister, Jones, Lafferty, Laughlin, Long, Lovell, May, McDonald, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—54.

NOES—Messrs. Henry, McGlashan, Walrath, and Ward of Butte—4.

Title approved.

Mr. McJunkin moved that the bill be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 133—An Act making an appropriation for the deficiency in the appropriation for salary of Guardian of the Yosemite Valley for the thirty-fifth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Solano, Clark, Colby, Cook, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Heywood, Jones, Lafferty, Laughlin, May, McDonald, McJunkin, McMurray, Mears, Moffitt, Munday, Patterson, Porter, Pyle, Sullivan, Swayne, Ward of San Francisco, Whitcomb, Woodward, and Mr. Speaker—44.

NOES—Messrs. Davis, Lovell, McGlashan, Roseberry, Walrath, and Ward of Butte—6.

Title approved.

Assembly Bill No. 244—An Act to amend section three thousand four hundred and ninety-eight of the Political Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Davis, DeWitt, Edwards, Ellison, Firebaugh, Franklin,

Goucher, Gregory, Hazard, Heath, Henry, Heywood, Jones, Lafferty, Laughlin, Lovell, McJunkin, McMurray, Mears, Moffitt, Munday, Patterson, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—49.

NOES—Messrs. Deveny and Douglas—2.

Title approved.

Mr. Hazard moved that the bill be immediately transmitted to the Senate.

So ordered.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 3, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

PETITIONS.

By Mr. Davis: Petition from citizens of Sacramento, relative to Assembly Bill No. 220.

Referred to Committee on Labor and Capital.

REPORT OF STANDING COMMITTEE.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Senate Bill No. 47—An Act to prevent the overcrowding of asylums for the insane—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, as amended.

WHITCOMB, Chairman.

MOTION.

Mr. May moved that Senate Bill No. 124 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 124—An Act to appropriate the sum of two thousand four hundred dollars for the purpose of paying the rent of the Hastings College of Law, San Francisco.

Read first time.

MATTER OF URGENCY.

Mr. May moved that, in accordance with the provision of the Constitution, Senate Bill No. 124 be made a matter of urgency, and that the provision of the Constitution requiring the reading of a bill on three separate days be suspended, and that the bill be read second and third times, and put upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Carter of Contra Costa, Carter of Solano, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Firebaugh, Goucher, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—64.

NOES—None.

Mr. May moved that the rules be suspended, and that the bill be considered without going into Committee of the Whole.

So ordered.

Bill read second time.

Bill read third time, the roll was called, and the bill passed by the following vote:

AYES—Messrs Almy, Ashe, Banbury, Barnett, Black, Carter of Contra Costa, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—60.

NOES—None.

Title approved.

MOTION.

Mr. Watson of El Dorado moved that Assembly Bill No. 315 be taken up for consideration.

So ordered.

Assembly Bill No. 315—An Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867, approved March 13, 1868."

Read third time.

Mr. Allen moved that the bill be referred to a select committee of one, with instructions to amend, as follows: strike out all after line five, in section twenty-three, and insert the following:

SEC. 24. No mere informality, failure, or omission, on the part of any of the persons or officers named in this Act, shall invalidate the acts of such person or officer, but every certificate of deed granted to any person pursuant to the provisions of this Act, shall be deemed, taken, and considered as conclusive evidence that all preliminary proceedings in relation thereto have been correctly taken and performed.

SEC. 25. This Act shall take effect and be in force from and after its passage; *provided*, that the towns of Shasta and Red Bluff shall be and are hereby excepted and exempted from the operations of its provisions.

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Allen a committee to amend Assembly Bill No. 315.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 315, with special instructions to amend as ordered by the House—would respectfully report that the instructions of the House have been carried out.

S. I. ALLEN.

Bill ordered printed and engrossed, with its amendments.

Mr. Watson of El Dorado moved that Assembly Bill No. 315 be placed on the special file.

So ordered.

SPECIAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 132—An Act making an appropriation for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the thirty-fifth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Douglas, Edwards, Finebaugh, French, Goucher, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Laughlin, Loud, Lovell, McDonald, McJunkin, McLean, McMurray, Moffitt, Patterson, Pellet, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—54.

NOES—Messrs. McGlashan, Porter, Walrath, and Watson of Alameda—4.

Title approved.

Assembly Bill No. 450—An Act to abolish all Commissioners, or Boards of Commissioners, heretofore created or appointed to construct or to complete the construction of any building or edifice for any county, or city and county, and providing for the Boards of Supervisors, or other governing body, of any county, or city and county, constructing or completing the construction of any building authorized to be erected for county, or city and county, uses, and repealing all conflicting Acts heretofore passed.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Coleman, Culver, Daley, Davis, Deveny, Douglas, Finebaugh, Franklin, French, Goucher,

Hazard, Heath, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Laughlin, Long, Loud, Lovell, May, McGlashan, McLean, McMurray, Mears, Patterson, Pellett, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—49.

NOES—Messrs Barnett, Clark, Corcoran, DeWitt, Dooling, Edwards, Gregory, McDonald, McJunkin, Moffitt, Morris, Munday, and Wood—13.

Title approved.

Mr. Lovell moved that the bill be immediately transmitted to the Senate.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 25—An Act to amend section one thousand seven hundred and twenty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to Public Administrators.

Read second time.

The Committee on Judiciary offered to amend, as follows: strike out, in subdivision five, line thirteen, the words "must also," and insert in lieu thereof the words "may, upon the order of the Superior Court."

So ordered.

Bill ordered engrossed, and to be read third time.

THIRD READING OF BILL.

Assembly Bill No. 40—An Act to amend an Act entitled "An Act to repeal chapter two, of title six, part three, of an Act of the Legislature of the State of California, entitled 'An Act to establish a Political Code,'" approved March 12, 1872, and each and every section of said chapter two, and to enact a new chapter two, of title six, of part three, of said Code, and substitute the same in place of said repealed chapter two, in said Code, relating to roads and highways.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Culver, Davis, Deveny, Douglas, Edwards, Firebaugh, Franklin, French, Hazard, Henry, Heywood, Hunt, Jones, Laughlin, Lovell, May, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—48.

NOES—Messrs. Ashe, Coleman, Corcoran, Dooling, Gregory, Heath, and McLean—7.

Title approved.

Assembly Bill No. 160—An Act to amend section two thousand six hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved February 28, 1883, relating to roads and highways.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Davis, Dooling, Douglas, Edwards, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Jones, Kalben, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—61.

NOES—None.

Title approved.

SECOND READING OF BILL.

Senate Bill No. 74—An Act entitled "An Act to provide for the future management of the State asylums for the insane."

Read second time.

Mr. Firebaugh moved to amend, by striking out section two.

Withdrawn by consent of the House.

Ordered to be read third time.

CALL OF THE HOUSE.

Mr. Heath moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Jordan moved that further proceedings under the call of the House be dispensed with.

So ordered

SPECIAL ORDER.

The hour for the consideration of special orders for eleven o'clock A. M. on this day having arrived, Assembly Constitutional Amendment No. 15—Proposed amendment to article thirteen of the Constitution, relative to taxation—was taken up.

The question being on the motion to reconsider the vote whereby Senate Amendment No. 1—Amend section one by inserting after the word "taxation," on line eight, page one, the following words: "Growing vines and fruit trees shall be deemed to be and shall be assessed and taxed as a part of the realty"—was lost.

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

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, Yule, and Mr. Speaker—61.

NOES—Messrs. Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Hazard, Henry, McLean, Moffitt, Munday, Watson of El Dorado, Ward of Butte, and Woodward—15.

The question then recurring on concurring in the following amendment offered by the Senate: Amendment No. 1—Amend section one, by inserting after the word "taxation," on line eight, page one, the following words: "Growing vines and fruit trees shall be deemed to be and shall be assessed and taxed as a part of the realty."

The roll was called, and the House concurred in the amendment by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—61.

NOES—Messrs. Clark, Coleman, Corcoran, DeWitt, Dooling, Goucher, Gregory, Hazard, Henry, McLean, Moffitt, Munday, Roseberry, Watson of El Dorado, and Ward of Butte—15.

AMENDMENT NUMBER THREE.

Amend section ten, by striking out the word "roundhouses," on line nine.

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Morris, Patterson, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—64.

NOES—Messrs Coleman, Dooling, Gregory, Hazard, Henry, Moffitt, Munday, Roseberry, and Watson of El Dorado—9.

AMENDMENT NUMBER FOUR.

Amend section eleven by adding the following:

SCHEDULE.

Nothing in this amendment shall affect any assessment or tax heretofore made or levied, or interest thereon, or any penalty heretofore incurred, or any action or right of action on account of any such assessment, tax, interest, or penalty; and all laws in force at the adoption of this amendment, not inconsistent therewith, shall remain in full force and effect until altered or repealed by the Legislature. The first levy and payment of taxes against railroad property hereunder, shall be made in the year 1886, and shall be upon the gross earnings, to be ascertained as herein provided, for the entire year of 1885. Taxation for the fiscal year ending June 30, 1885, is not affected by this amendment.

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—64.

NOES—Messrs. Coleman, DeWitt, Dooling, Gregory, Henry, Moffitt, Munday, Roseberry, and Watson of El Dorado—9.

AMENDMENT NUMBER FIVE.

Amend section eleven, by striking out the words "except the owners of railroads," on line two.

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Clark, Cook, Corcoran, Culver, Daley, Deveny, Douglas. Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—63.

NOES—Messrs. Coleman, DeWitt, Dooling, Gregory, Hazard, Moffitt, Munday, and Watson of El Dorado—8.

AMENDMENT NUMBER SIX.

Amend section ten, by inserting, in line one, after the words "railroad property," the words "as hereinafter provided."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—63.

NOES—Messrs. Coleman, DeWitt, Dooling, Gregory, Hazard, Henry, Moffitt, Munday, and Watson of El Dorado—9.

AMENDMENT NUMBER SEVEN.

Amend section ten, by inserting, in line sixteen, after the word "equalization," the words "under such rules and regulations as may be prescribed by said Board; *provided*, however, that the Legislature may at any time pass laws prescribing said rules and regulations."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—65.

NOES—Messrs Coleman, DeWitt, Dooling, Gregory, Hazard, Moffitt, Munday, and Watson of El Dorado—8.

AMENDMENT NUMBER EIGHT.

Amend section ten, by inserting after the word "State," on line forty-one, the words "to have waived their right to operate their railroads within this State. The taxes herein provided for, together with such penalties as the Legislature may impose for the non-payment thereof, shall be a lien on the property hereinbefore in this section designated, and may be enforced in such manner as the Legislature may by law prescribe."

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—69.

NOES—Messrs Coleman, Dooling, Gregory, Henley, Henry, Moffitt, Munday, and Watson of El Dorado—8.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 15.

The Constitutional Amendment, as amended, reads as follows:

AN ACT

To amend sections one, eight, ten, and eleven, of article thirteen, of the Constitution.

The Legislature of the State of California, at its twenty-sixth session, commencing on the fifth day of January, A. D. 1885, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby proposes that sections one, eight, ten, and eleven, of article thirteen, of the Constitution of the State of California, be amended so as to read as follows

Section 1. All property in the State, except railroads, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law. The word property, as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership; *provided*, that growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or any county or municipal corporation within this State, shall be exempt from taxation Growing vines and fruit trees shall be deemed to be and shall be assessed and taxed as a part of the realty; and, *provided further*, that railroads shall be taxed as provided in section ten of this article, and, *provided further*, that the Legislature may provide for the exemption from taxation of ships and vessels owned and registered or enrolled in this State, or may tax such ships and vessels, on their gross or net earnings, in lieu of an ad valorem tax. The Legislature may also provide, except in case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this State. Double taxation in any form is prohibited.

Section 8. The Legislature shall, by law, require each taxpayer in this State, to make and deliver to the County Assessor, annually, a statement under oath, setting forth specifically all property, real and personal, except railroad property, as defined in section ten of this article, owned by such taxpayer, or in his possession, or under his control, at twelve o'clock meridian, on the first Monday in March.

Section 10. All property, except railroad property, as hereinafter provided, shall be assessed in the county, city, city and county, town, township, or district in which it is situated, in the manner provided by law. Every corporation and person owning or operating a railroad, or any portion thereof, in this State, shall, on or before the first day of July of each year, pay to the State Treasurer an annual tax of two and a half per cent upon the gross earnings earned within this State of such railroad for the year ending upon the thirty-first day of December next preceding; which tax shall be in lieu of all other State and county taxes upon the franchise, business, right of way, roadway, roadbed, rails, rolling stock, fences, stations, and their appurtenances, and upon ferryboats when operated as a part of such railroad, and upon the shares of the capital stock, and upon the mortgages, deeds of trust, contracts, or other obligation by which a debt is secured upon such property. All other property belonging to such corporation or person shall be assessed and taxed as other property is assessed and taxed. The gross annual earnings earned during the year ending on the thirty-first day of December last preceding, of all railroads, shall be, annually, before the first day of May thereafter, ascertained and declared by the State Board of Equalization, under such rules and regulations as may be prescribed by said Board, *provided*, however, that the Legislature may at any time pass laws prescribing said rules and regulations In all cases where railroads are situated partly within this State and partly without this State, the gross annual earnings thereof shall be ascertained and determined by taking

First—The gross earnings which, during the year last preceding, have been earned wholly within this State

Second—The gross earnings which, during the same year, have been earned partly within this State and partly without this State, which shall be ascertained by apportioning such earnings between this State and other States or Territories, in the proportion which the number of miles of such railroad situated in this State, and used in making such earnings, bears to the whole number of miles thereof, by the use of which such earnings have been made. The proportion of interstate earnings thus ascertained shall be added to the earnings made wholly within the State, and the total thus obtained shall be taken and deemed to be the gross earnings of such railroads for all purposes of assessment and taxation. For every purpose of this section, except for the purpose of ascertaining the proportion of interstate earnings to be added to the earnings made wholly within this State, all railroads operated as one system shall be treated as one road. One third of the tax paid by corporations or persons owning or operating railroads under the provisions of this section, shall become part of the General Fund of this State, and two thirds thereof shall be paid to the county or counties in which said railroad is situated, in proportion to the length of the railroad operated in the several counties. For the purposes of this section a consolidated city and county shall be treated as a county. Any corporation, association, partnership, person or persons, unlawfully failing or refusing to pay the tax herein provided, when the same shall become due, or within thirty days thereafter, shall be deemed to have waived their right to operate their railroads within this State The taxes herein provided for, together with such penalties as the Legislature may impose for the non-payment thereof

shall be a lien upon the property hereinbefore in this section designated, and may be enforced in such manner as the Legislature may by law prescribe. All railroads, so far as the same are situated within the boundaries of any common school district, shall be subject to an ad valorem tax for school purposes voted by the electors of the district, at a special election held for that purpose, the same as other property situated within the district, anything in this article to the contrary notwithstanding. And all railroads, so far as they are situated within the boundaries of any incorporated city or town, shall be subject to an ad valorem tax for municipal purposes the same as other property situated therein, anything in this article to the contrary notwithstanding

Section 11. Income taxes may be assessed and collected from persons, corporations, joint stock associations or companies, resident or doing business in this State, or any one or more of them, in such cases and amounts and in such manner as shall be prescribed by law. No Court within this State shall have power, by injunction or otherwise, to interfere with, hinder, or delay the collection of any tax laid under the form of law, except upon a showing that the same property has been taxed more than once for the same purpose in the same year, and then only upon payment to the Tax Collector, or into Court, of a sum equal to the amount of one of the taxes so laid upon the property in question; *provided*, that in all cases actions may be maintained against the Tax Collector to recover illegal taxes paid under protest. All such actions must be commenced within thirty days after such illegal taxes have been paid. It shall be the duty of the Courts in which such actions may be brought, to try them, upon the request of either party, in advance of all other civil actions, and such taxes so paid under protest shall be retained by the Tax Collector, or such other officer as the Legislature may designate, until such actions shall have been finally decided.

SCHEDULE.

Nothing in this amendment shall affect any assessment or tax hertofore made or levied, or interest thereon, or any penalty heretofore incurred, or any action or right of action on account of any such assessment, tax, interest, or penalty; and all laws in force at the adoption of this amendment, not inconsistent therewith, shall remain in full force and effect until altered or repealed by the Legislature. The first levy and payment of taxes against railroad property hereunder, shall be made in the year 1886, and shall be upon the gross earnings, to be ascertained as herein provided, for the entire year of 1885. Taxation for the fiscal year ending June 30, 1885, is not affected by this amendment.

SPECIAL ORDER.

Special order for eleven o'clock and thirty minutes A. M. this day being next in order, Assembly Bill No. 573—An Act to provide for the submission to the qualified electors of the State, for their approval, the amendment or amendments to the Constitution of the State of California proposed by the Legislature thereof at its twenty-sixth session—was taken up.

Bill read second time.

Mr. Britt moved to amend as follows: strike out, in section one, line six, the words "sixth day of June," and insert in lieu thereof the words "first Tuesday after the first Monday of November."

The roll call was demanded by Messrs. Britt, Ellison, and Weaver, and the motion was lost by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Clark, Daley, Doolmg, Ellison, Firebaugh, Gregory, Hazard, Henley, Henry, Laughlin, McLean, Pyle, Reeves, Russ, Swayne, Torrey, Walrath, Ward of Butte, Weaver, and Woodward—28.

NOES—Messrs. Barnes, Bublert, Colby, Cook, Corcoran, Culver, Davis, Deveny, Douglas, Edwards, Franklin, French, Goucher, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Watson of Alameda, Whitcomb, Wood, and Mr. Speaker—40.

Mr. Corcoran moved to amend as follows: strike out, in section four, after the words "for the amendment," the word "or," and insert in lieu thereof the word "and."

Lost.

Ordered engrossed, and to be read third time.

Mr. Jordan moved that the bill be made a special order for Wednesday, March 4, 1885, at eleven o'clock A. M.

So ordered.

SPECIAL FILE—(RESUMED)—FIRST READING OF BILL.

Senate Bill No. 292—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Read first time, and ordered to second reading.

SECOND READING OF BILLS.

Assembly Bill No. 545—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor.

Read second time.

The Committee on Judiciary offered to amend as follows: amend, by striking out the word "fees" and substituting therefor the word "compensation," in line thirty-six, subdivision six; also, in line thirty-seven, same subdivision, strike out the word "those," and insert in lieu thereof the word "that;" also, in line forty, same subdivision, insert, after the word "certificate," the words "and order."

So ordered.

Mr. Goucher moved to amend, as follows: strike out, in line forty, subdivision six, the word "or."

So ordered.

Also, add a new section, to read as follows:

SEC. 3. This Act shall take effect on and after its passage.

So ordered.

Also, in title, quote the words "An Act to establish a Penal Code."

So ordered.

Bill ordered engrossed, and to be read third time.

Senate Bill No. 83—An Act to amend section three hundred and fifty-nine of an Act to establish a Political Code, approved March 21, 1872, relating to powers of corporations.

Read second time, ordered engrossed, and to be read third time.

Assembly Bill No. 394—An Act in relation to trespassing animals.

Read second time.

The Committee on County and County Boundaries offered to amend as follows: amend, by inserting, in section one, between the words "from one county into another," and "and in the latter county," the words "or from one township to another," and between the words "and in the latter county" and "commit trespass," the words "or township."

So ordered.

Mr. Britt moved to strike out the enacting clause.

So ordered on division—ayes, 25; noes, 21.

Assembly Bill No. 518—An Act to add a new section to the Political Code, to be numbered section three thousand five hundred and fifty-seven, relative to proceedings against delinquent purchasers.

Read second time, ordered engrossed, and to be read third time.

FIRST READING OF BILLS.

Senate Bill No. 269—An Act to amend section three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Read first time, and ordered to second reading.

Senate Bill No. 270—An Act to amend section three thousand seven hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read first time, and ordered to second reading.

Senate Bill No. 176—An Act concerning municipal corporations.

Read first time, and ordered to second reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 2, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 247—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, and one thousand eight hundred and fifty-nine of the Political Code, and to add a new section, to be known as section one thousand eight hundred and thirty-four thereof, and to repeal sections one thousand five hundred and thirty-three, one thousand six hundred and eighteen, and one thousand seven hundred and ninety-two of said Code.

Also, Senate Bill No. 325—An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor.

Also, Substitute for Senate Bill No. 316—An Act to amend section five hundred and thirty-four of the Political Code, relating to the salary of the Superintendent of State Printing, and appropriating money therefor.

Also, Senate Bill No. 154—An Act to amend an An entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Mr. Munday moved that Senate Bills Nos. 247, 325, and 154 be placed on special file.

So ordered.

Mr. May moved that Substitute for Senate Bill No. 316 be read first time.

So ordered.

Bill read first time, and ordered to second reading.

Mr. May moved that the bill be placed on special file.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Hussey:

Resolved, That the State Controller be authorized to draw his warrant in favor of the following named members of the Committee on State Prisons for the sum of four dollars and forty

cents each, mileage of said named members to and from the State Prison (on the second instant) at Folsom: Dwight Hollister, H. C. Firebaugh, J. F. Black, A. C. Morse, Clerk, Jos. Almy, Chairman.

Referred to Committee on Mileage.

REPORT OF SERGEANT-AT-ARMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR SPEAKER: Herewith I present statement of incidental expense account for the twenty-sixth session of the Assembly. Respectfully,

JEROME PORTER, Sergeant-at-Arms.

Referred to the Committee on Public Expenditures and Accounts.

WITHDRAWAL OF BILL.

Mr. Jordan asked permission to withdraw Assembly Bill No. 417, which was granted.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 106—An Act to amend section three thousand eight hundred and twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the manner of the collection of taxes by the Assessor on certain personal property—have had the same under consideration, and respectfully report the same back, and *recommend that it do pass.*

MAY, Chairman.

ON STATE PRISONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

To the honorable Assembly of the State of California:

The following is respectfully submitted to your honorable body as the result of our investigation of the affairs of the State Prisons of this State, with some comments, but no reflections on the discipline and management adopted at the two prisons. And at the outset of this brief report that we shall submit to this House, allow us to say, that it is with feelings of pride and gratification that your committee are able to state, after the short time allowed us to investigate into State Prison affairs, that never in the history of this State has the whole management of our prisons, and the financial condition of the prisons, been so satisfactory as at present. We are fully convinced from even the short time allowed us to look into the various departments—the jute and other manufactories at San Quentin, and the granite quarry, stonecutting, and farming department at Folsom—that the two prisons, at a very early day, will be nearly if not wholly self-sustaining. The Constitution of our State interdicts contract labor, and with the present jute manufactory, its magnificent machinery, utensils, and materials, should find employment for a large number of convicts at San Quentin, and in the near future, with the other manufactories at that point, prove remunerative to the State.

The prison authorities are now at work vigorously to carry out this great undertaking, and, from the present outlook, will make a success of this problem of manufacturing within our prison walls. The proposition for the employment of convict labor, in the manufacture of fabrics from jute fiber, we understand, originated with the Chief Executive of the State; and under that clause of the Constitution prohibiting the employment of convict labor, under the contract system, after January 1, 1882, created the exigency, which has been carried out by the prison management in the expensive work of the jute mill recently completed. As to whether the undertaking will prove profitable to the State financially can only be determined after a full and fair trial. In advance of the experiment conclusions are purely speculative. The officers of the prisons are indulging sanguine hopes of a brilliant success.

Your committee, with the assistance of a well known reliable expert, examined carefully the books and papers at San Quentin, as much for the purpose to inquire into the profit and loss of the various manufacturing departments, as to any irregularities that might exist at the prison. It is with great satisfaction and pride to us, as a committee representing the Assembly on State Prisons, and a congratulation to the taxpayers of this State, for us, after a careful examination into every department of the prisons, to be able to report that we found everything connected

with the prison in a healthy financial condition, with no shadow of peculation on the part of the outgoing administration, or the management of the present one.

We hereto attach to our report a clear and concise statement of carefully compiled figures (marked Exhibit "A"), showing the profit and loss of the following manufacturing departments at San Quentin for the fiscal year ending June 30, 1883, the fiscal year ending June 30, 1884, and the six months ending December 31, 1884, to wit jute, door, chair, harness, tannery, tub and pail, foundry, brick, and belt manufacturing departments. The credit side of this carefully compiled statement is a good financial showing, and speaks volumes in favor of the prison management:

EXHIBIT "A"

Statement of Profit and Loss in Manufactories at San Quentin State Prison.

Fiscal year ending June 30, 1883:			
Chair department		$7,808 60	
Door department		19,613 59	
Foundry department		3,101 46	
Harness department		6,763 35	
Jute department		29,922 33	
Tannery department		6,002 31	
Tub and pail department		4,802 50	
			$78,014 14
Fiscal year ending June 30, 1884:			
Belt department		$187 41	
Jute department		1,345 59	
Harness department		5,044 68	
Door department		28,711 65	
Furniture department	$1,239 55		
Add for over invoice of stock afterward corrected on the books by order of Board of Directors	2,814 96		
		4,054 51	
		$39,343 84	
Less loss in foundry department	$825 81		
Tannery department	728 63		
Brick department	64 44		
Jute (error in inventory)	3,900 00		
		5,518 88	
			$33,824 96
Estimated profit from June 30, 1884, to December 31, 1884:			
Brick department		$6,929 70	
Door department		16,119 05	
Furniture department		4,445 25	
Harness department		1,728 63	
Tannery department		1,731 07	
		$30,953 70	
Less loss in jute department		2,320 70	
			$28,633 00

Previous to the convening of the session of the present Legislature, some unjust comments had been made (probably by a partisan spirit) against the future success of the jute manufacturing department at San Quentin, in the management of these extensive and costly works, in the purchase and manufacture of jute fabrics, and the successful sale of jute bags, and other articles made from the same material, in the markets on the Pacific Coast. This committee, in order to do justice to all officers connected at San Quentin with this branch of industry, as to the manufacture of jute fabrics, and the sale of all articles manufactured from jute fiber, went into a full investigation of all matters at issue.

After a patient and careful inquiry, your committee unanimously say that not the slightest foundation exists for any censure upon ex-Warden Ames, or the present Warden, Paul Shirley, in the matters brought before the committee.

In the matter of difference as to an entry on the Warden's books of thirty-seven thousand and ninety-six dollars for supplies charged to Warden Ames during Warden Shirley's administration, it was a clerical error without doubt, and was fully explained by the witnesses cited to appear before your committee: the matter of difference being more fully explained by the bookkeeper who made the entry referred to.

G P. Hart, present Clerk for Warden Shirley, and who made the entry in the Warden's books, in his testimony before the committee, says: Ex-Warden Ames should have been credited with the supplies furnished the prison for the whole month of November, instead of up to the first day of November, 1883, making the above named difference, which should have been charged to Warden Shirley, of $37,096 for supplies furnished during his administration, instead of a charge against ex-Warden Ames. Your committee, after a careful review of all the facts brought before them, fully exonerate ex-Warden Ames from the slightest imputation of wrong,

and Warden Shirley from any motive to do injustice to his predecessor. The present Board of Prison Directors are all gentlemen of intelligence, integrity, and well established business character, and they will probably be able, by the introduction of additional industries, to give every prisoner employment, and make the various manufactories self-supporting, as soon as the system of labor is well organized. And in referring to the high qualifications of the gentlemen comprising the present Board of Prison Directors, your committee, in justice to themselves and the State at large, cannot consistently close this report without paying a just and deserving compliment to the able management of the old Board of Directors, who, during their term of office, laid the groundwork of this magnificent jute manufactory, which is being so successfully carried out by their successors.

The old Board had many things to contend against in the incipiency of this new and untried enterprise on this coast, and many other new enterprises started during their administration. They brought order out of chaos, and when they surrendered up their office of responsibility and trust, everything in and around the prisons was working on a substantial basis. They have the thanks of your committee, and we think the citizens throughout the State, for the executive ability and integrity shown during their term of office.

Manufactories at San Quentin are yet in their infancy, and time should be allowed to give the State Prison Directors, with the assistance of the Warden, a full opportunity to carry out this great problem of the manufacture of jute fiber, in competition with the cheap labor of foreign countries.

When your committee visited the San Quentin and Folsom Prisons, the prisoners, without a dissenting voice, expressed the most kindly feelings towards the officers in charge, and no complaints of cruelty or injustice were made, though ample opportunity was offered. There are now one thousand one hundred and ninety-five prisoners crowded within the walls of San Quentin, and from a close inspection of the prison building, and the statement of the officers in charge, your committee are fully convinced that the cell accommodations are greatly inadequate for the large number now confined there.

In a humanitarian point of view, we are satisfied that not more than one prisoner should be confined in each cell at San Quentin. Many of these cells in the old department of the prison should be improved and made more comfortable, or, at least, more cheerful in many respects for their unfortunate occupants. This institution, when originally built, was constructed without any well ordered plan or system, in connection with the great work committed to its first officers.

Contractors were careless in the discharge of their duties, and were grossly negligent in carrying out the plans intrusted to them, in the original construction of the prison. Large sums of money were squandered in the construction of this prison, and the wall inclosing it, which, if judiciously used, would have built a substantial edifice of much larger dimensions, and containing a larger number and more commodious cells.

We trust with these few kind suggestions, the Prison Directors will, at an early day, make the much needed changes, which humanity requires.

The experience of other States and countries show they have been, in a large measure, subject to the same errors as our own State. The model prison, with perfect management, that meets the ends of justice in the punishment of crime, that reforms the unfortunate transgressors of the law, and is at the same time self-supporting, is yet to be found: yet the progress in this department has, in the past few years, wrought great changes in prison management.

Folsom Prison is a model of penal institutions, and your committee can say, with pride and pleasure, that the whole structure, from its base to the highest turret, is a grand piece of impenetrable, solid granite; a credit to the State and a lasting monument to the efficient and able Warden who has faithfully and carefully looked after its construction

Your committee made it their especial work to visit every part of the farm, grounds, granite quarry, stone-cutting department, blacksmith shops, and every part of the prison. They examined, in detail, every department, and, without a single exception, found everything in the most perfect condition, and in general good order. Each and every branch of the prison had a regular system, and yet, as a whole, this great body moved slowly, and, like a grand piece of machinery, not a jar or friction could be found in any one part of this great structure.

The park contains three hundred and fifty acres of choice land, all under splendid cultivation. When your committee drove over this model farm in the latter part of February it showed the handiwork of the farmer in every acre cultivated. The soil was well tilled and the whole tract planted in cereals.

The dairy is a model farm within itself. A fine band of milch cows, most of them raised on the place, furnished the prison with all a well appointed dairy could supply, besides a profit realized to the State from this branch of the farm

The poultry yard and vegetable garden was another feature, and a favorable one in this farming department, and satisfied your committee that the Warden, in utilizing this large body of rich land belonging to the State, was saving for the benefit of its taxpayers a considerable sum of money.

Your committee learned from the Warden that the prison at the present time contained five hundred and twenty-three prisoners. Of this number, one hundred and fifty were employed in the granite quarry getting out stone for the massive wall now being constructed, and for the markets of this coast; and one hundred were employed cutting stone. The remaining prisoners are employed constructing sewers, building the granite wall around the prison, clearing trees, farming, building new roads over and to and from the prison grounds, and putting in good order the whole prison grounds within the State tract We found here a little city of itself, and a

small army of laborers improving the State's property, making every acre more valuable by careful cultivation, and preparing for market a valuable commodity for which there will always be a demand, and the supply of which, for all time, will be inexhaustible

This bringing order out of chaos, building a grand massive structure of beautiful granite, being surrounded by a solid impenetrable wall of the same material.

A green, well cultivated farm, all springing from this wild rocky waste, on the banks of the American River, within a very brief period, is certainly a credit to the indomitable perseverance of the Warden and Prison Directors, who have so successfully carried out this great and important work. This inexhaustible quarry of granite, from present appearances, and from statements of practical quarrymen and geologists, will last for ages, and give employment for thousands of prisoners for all time to come.

On visiting the stonecutting department we were informed by the foreman of the works that the one hundred prisoners employed there all learned the trade at Folsom under him, and that his experience with them proved they would compete with any similar body of stonecutters on the Pacific Coast.

These men are not only employed cutting stone for the building of the wall around the prison, but are engaged cutting and polishing this beautiful granite, for the macadamizing of streets, cemetery work, building material, and supplying all needs of the State in competition with other stone.

The foreman of the quarry informed us that the character of the granite greatly improved as they progressed in depth; and from all indications, it would prove to be one of the most valuable granite quarries in the Union, when fully opened. He informed us that they were now shipping from the stonecutting yard over thirty carloads of cut stone per month, mostly for paving and crossing stones. The net value of each carload is seventy-five dollars, and yet this quarry is not yet opened fairly for workmen

To show the immense work done at this quarry and stonecutting yard, your committee counted twenty-one forges, or bellows, used in the blacksmith shops for sharpening tools, these being run by thirty-eight blacksmiths, to supply the necessary tools for the stonecutters and quarrymen.

Your committee in their visit through the various departments of the prison closely inspected each and every department.

They closely examined the dining rooms, cells, commissary and medical rooms, hospital wards and bathing room, and closely questioned the officers in charge of each as to the management and workings of their several stations We found the cells of prisoners large, comfortable and airy, neat and clean: many of the unfortunate inmates having, with much taste and industry, brightened them by books, pictures, and hangings of cheap prints around their iron bedsteads.

The hospital wards were large and well ventilated, with windows of sufficient size to admit a field of warm sunlight The hospital wards were truly inviting to the sick man, but we found no patients And this incident of itself speaks well for the sanitary management of this place, which, in former years, was considered unhealthy

Your committee regret that, in rendering this report, want of sufficient time while at Folsom prevents them from going into all the details, as to the construction of the buildings, the wall being built around it, the granite quarry, and the grounds which surround the building.

In justice to the subordinate officers in charge of the various departments that we visited, which were carefully inspected, we have only to say the whole system is perfect, and each department a success.

We cannot leave this branch of our report without reference to what we think a new departure, and, to our mind, a favorable one in prison matters In the dining-rooms we found three departments, making three grades for prisoners as to good behavior, which is a species of credits, or reward of merit, even in dining-room promotion.

The highest reward for good behavior here gives the prisoner a brighter dining-room—crockeryware, instead of tin, and brighter spoons than the unfortunate in the grade below him. The second grade receive bright tinware, bright spoons, and in cheerfulness, the next best dining-room The unfortunate but hardened criminal who seeks no promotion here, must remain in the lower grade, where his table tinware is greatly battered, and, like the culprit, looks dark, dingy, and forlorn. The food, in quality, in a sight measure, ranks higher on good behavior.

In leaving the subject of the management of the branch prison at Folsom, your committee, after a full and close examination into the details connected with this young but growing branch of our California prisons, and looking into the future success of this institution from our present standpoint, we must, in justice to ourselves and all parties connected with State Prison affairs, congratulate the Directors and the citizens of the State in having selected a Warden who has been a credit to the institution, and would do great credit to any of the older penal institutions of our sister States.

Your committee cannot close their report without calling the attention of this honorable Assembly, and the Board of Prison Directors, to the important fact of the many youthful offenders incarcerated with the old hardened criminals of our State.

At San Quentin, in particular, very many boys under eighteen years of age, and in two or three cases under sixteen years, we found exposed to the society of the most hardened criminals within our prison walls

The juvenile reformatories of other States and other countries have not proved a failure, and will not here; on the contrary, in all countries where God's bright sun shines juvenile reformatories have been a success, where properly managed.

They have proved a success in this our own State, and adjoining Pacific States.

The same system which has benefited, when applied to adult criminals, will benefit and cure the younger criminals

The habits of idleness are not so firmly rooted in their character. Their worst vices are often little more than imitation, and do not indicate deep-seated depravity.

By the exhibition of firmness, system, and emulation, they can, beyond a doubt, be reformed, and in time become good members of society.

What opportunity for reform have these poor unfortunate boys, when surrounded by these old hardened criminals, who have spent their lives in crime? Their young minds are blasted by contact with these miserable wretches, whose hearts are harder than the granite rock they cut at Folsom.

These boys should be taken away, and kept from these damning associations. They should have more freedom, and yet withal be kept employed. It is by reposing confidence in these young outcasts, in stimulating their ambition, in cultivating their self-respect, in giving them something to hope for, and something to be proud of, that their characters are changed and they are reformed.

We truly hope the day is near at hand when our philanthropic citizens, our Christian people, and those in charge of our penal institutions, will look to this important matter, and brighten the dark path of our wandering criminal boys.

ALMY, Chairman.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared the usual recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Parks in the chair.

Quorum present.

MOTION.

Mr. Porter moved that Assembly Bill No. 449 be made a special order for Wednesday, March 4, 1885, at seven o'clock and thirty minutes P. M.

So ordered.

SPECIAL ORDER.

The hour for the consideration of special orders for two o'clock P. M. this day having arrived, Senate Bill No. 282—An Act to provide an additional asylum for the insane of the State of California—was taken up for further consideration.

The question being upon the pending amendment offered by Mr. Edwards, it was lost.

Mr. Edwards moved to amend as follows: amend section three, by adding after the word "State," the following: "*provided*, that the site for said hospital shall not be located in Napa County."

Lost.

Mr. Corcoran moved to amend as follows: strike out all after the enacting clause, and insert the following:

SECTION 1. There shall be established, upon a site to be selected as hereinafter provided, a State hospital for the treatment of the chronic insane, to be designated by the name of the California Hospital for the Chronic Insane.

SEC. 2. The Governor is hereby authorized and directed to appoint not less than three Commissioners, whose duty it shall be to select a site for the said hospital.

SEC 3. The Commissioners shall select a site for said hospital to be erected under this Act, and in the selection of such site, the Commissioners shall decide solely upon and be governed by advantages for health, adaptability for the purposes of the institution, and convenience of access from the different parts of the State.

SEC. 4. The Commissioners shall ascertain the cost of the proposed site, and report the same to the State Board of Examiners for approval, and if approved by the Board of Examiners, but not otherwise, shall purchase the same for and on behalf of the State.

SEC 5. The actual traveling and other expenses of said Commissioners, while engaged in the

duties of their office, shall be paid out of any money in the State Treasury not otherwise appropriated. The amount of such expenses to be certified to, approved, and allowed by the State Board of Examiners.

SEC. 6. Immediately after the purchase of such site, the Governor is hereby authorized and directed to appoint five Trustees of said hospital, of whom three shall serve for two years, and two for four years, and thereafter the terms of office of Trustees shall be four years. If, at any time, a vacancy occurs in the Board of Trustees, the Governor shall appoint a suitable person to act as Trustee for the unexpired term. The Trustees shall qualify, by taking an official oath, within ten days after the date of their appointment, and shall organize by selecting one of their number to act as Chairman. They shall also have power to select a Secretary, whose compensation shall be fixed by them, but shall not exceed twelve hundred dollars per annum.

SEC. 7. As soon as practicable after their appointment the said Trustees shall procure and adopt, by and with the advice and recommendation of the Resident Physician of the Insane Asylum at Napa, and the Medical Superintendent of the Insane Asylum at Stockton, plans and specifications for the construction of the hospital to be constructed under the provisions of this Act, and shall submit the same to the State Board of Examiners for approval, and upon the approval thereof by the Board of Examiners, but not otherwise, shall proceed with the construction of the said hospital.

SEC. 8. Upon the approval of such plans, drawings, and specifications, the Board of Trustees shall advertise for bids for the construction of said hospital, and shall award the contract for the construction thereof to the lowest responsible bidder, subject to the approval of the State Board of Examiners, and if approved by such Examiners, but not otherwise, shall enter into a contract with the said lowest bidder for the construction of said hospital: *provided*, no bid shall be accepted or approved, the amount of which, added to the cost of the purchase of a site, shall exceed the sum of two hundred and fifty thousand dollars.

SEC. 9. Said Trustees shall have power to employ a competent architect to make the necessary plans and drawings and specifications, and also to employ a competent person to superintend the construction of said hospital, whose compensation shall be fixed by the Board of Trustees, subject to the approval of the State Board of Examiners. The Superintendent of Construction may be removed at any time by said Trustees and another appointed in his place, and in case of such removal such Superintendent shall receive compensation for the services actually rendered by him.

SEC. 10. Said Trustees shall, at the time of entering into the contract for the construction of such hospital, require of the contractor a bond, in such sum as they may designate, for the faithful performance and full execution of the said contract, which bond shall be executed by sufficient sureties, and be subject to approval by the Board of Examiners.

SEC. 11. Upon the completion of said hospital, the same shall be conducted under the control and management of the Board of Trustees, and their successors in office. They shall cause to be kept a full and correct record of their proceedings, which shall be open at all times to the inspection of any citizen desiring to examine the same. As soon as they shall deem it necessary for the proper completion, furnishing, and management of said hospital, the said Trustees shall elect a Medical Superintendent, whose term of office shall be four years. And thereafter the said Trustees shall elect a Medical Director when it becomes necessary by the expiration of his term of office, or from any other cause.

SEC. 12. The Medical Director shall be an educated and experienced physician, and a regular graduate in medicine, and shall have practiced at least five years from the date of his diploma. He shall be the chief executive officer of the hospital, and shall have like powers, duties, responsibilities, and obligations over the said hospital and its patients, as are conferred by law upon the Resident Physician over the State Insane Asylum at Napa.

SEC. 13. When said hospital shall be ready for the admission of patients, and thereafter, when a vacancy occurs in the office hereby authorized, the Trustees shall elect one or more Assistant Physicians, as in the judgment of the Trustees the proper management of the hospital may demand, whose terms of office shall be four years, and until his successor is appointed and qualified. The duties of the Medical Director, in his absence or sickness, shall be performed by the Assistant Physician. The Assistant Physician shall be a regular graduate in medicine.

SEC. 14. The Medical Director and the Assistant Physician shall both reside at the hospital, and shall not engage in practice other than in the employment of the State.

SEC. 15. No patient shall be admitted to this hospital except the chronic and harmless classes of the insane in the asylums for the insane of this State, and the transfer of such patients from said asylums shall be made by their respective Boards of Directors or Trustees, by and with the advice and consent of the Medical Superintendent or Resident Physician. The expense of transferring said patients shall be paid out of the funds of the asylum from which such patients are removed.

SEC. 16. The salaries of the Medical Director and the Assistant Physician shall be of the same amount as those allowed to the Resident Physician and Assistant Physician, respectively, at the State Asylum for the Insane at Napa.

SEC. 17. Except in so far as limited or enlarged by the provisions of this Act, the said Trustees shall have the same power, duties, responsibilities, and obligations, as are conferred by law upon the Trustees of the State Asylum for the Insane at Napa, and shall receive like compensation; *provided*, however, that during the construction of said hospital the said Trustees may receive from the State their actual traveling and other expenses while engaged in the

duties of their offices; the amount of such expenses to be certified to and approved and allowed by the State Board of Examiners.

SEC. 18. For the purchase of the site, and erection of the hospital, herein provided for, the sum of two hundred and fifty thousand dollars is hereby appropriated, of which amount one half is appropriated for the thirty-seventh fiscal year and one half for the thirty-eighth fiscal year, to be paid out of the General Fund; and the State Board of Examiners shall audit and allow all demands arising under the provisions of this Act, and the Controller shall thereupon draw his warrant therefor, payable out of the General Fund.

SEC. 19. This Act shall take effect from and after its passage.

Amendment adopted.

Mr. May moved to strike out the enacting clause.

MOTION.

Mr. Jordan moved that the consideration of the special order for three o'clock P. M. this day be postponed until after the disposal of the bill now under consideration.

So ordered.

ACTION ON SENATE BILL No. 282.

The question then being on the motion to strike out the enacting clause.

The roll call was demanded by Messrs. Hazard, Colby, and Corcoran.

The motion was lost by the following vote:

AYES—Messrs. Almy, Banbury, Carter of Contra Costa, Colby, Cook, Culver, Daley, Edwards, Firebaugh, Heywood, Hunt, Hussey, Jordan, Kalben, Lovell, May, McMurray, Mears, Patterson, Porter, Russ, Swayne, Torrey, Walrath, Ward of Butte, Whitcomb, and Wood—27.

NOES—Messrs. Allen, Ashe, Britt, Buhlert, Carter of Solano, Clark, Coleman, Corcoran, Davis, Deveny, DeWitt, Dooling, Ellison, Franklin, Gregory, Hazard, Heath, Henley, Henry, Hollister, Jones, Lafferty, Laughlin, Long, Loud, McDonald, McJunkin, McLean, Moffitt, Morris, Munday, Pellet, Reeves, Roseberry, Sullivan, Van Voorhies, Ward of San Francisco, Weaver, Woodward, Yule, and Mr. Speaker—41.

Bill ordered engrossed, and to be read third time.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. SPEAKER: Your Committee of Conference, to consider Assembly Bill No. 403—respectfully report that they have met with the committee of the Senate, and find that we cannot agree, and respectfully recommend the Assembly to appoint a Free Conference Committee, to further consider the bill, and the Senate be requested to appoint a similar committee, to confer with the Assembly committee.

JOHN YULE.
G. G. GOUCHER.
J. M. WARD.

Report adopted.

APPOINTMENT OF COMMITTEE OF FREE CONFERENCE.

The Speaker appointed Messrs. Pellet, Gregory, and Roseberry, a Committee of Free Conference, to meet with a like committee from the Senate, to further consider Assembly Bill No. 403.

SPECIAL ORDER.

Special order for three o'clock P. M. next being in order, Senate Bill No. 97—An Act to prevent the spreading of fruit and fruit tree pests and diseases, and to provide for their extirpation—was taken up.

Mr. Jordan moved to refer the bill to a select committee of one, to amend as follows: strike out, in section one, the words "and fruit;" also, in section five, strike out the words "all fruit."

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Jordan a select committee to amend Senate Bill No. 97.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 97, with special instructions to amend as ordered by the House, would respectfully report that the instructions of the House have been carried out.

W. H. JORDAN.

The question being upon the passage of the bill, the roll was called, and the bill was lost by the following vote:

AYES—Messrs. Almy, Barnes, Carter of Contra Costa, Clark, Coleman, Daley, Deveny, DeWitt, Edwards, Ellison, Franklin, Hazard, Heywood, Jordan, Kalben, Laughlin, Lovell, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Reeves, Walrath, Watson of El Dorado, Woodward, and Mr. Speaker—28.

NOES—Messrs. Allen, Ashe, Banbury, Britt, Buhlert, Carter of Solano, Cook, Corcoran, Davis, Dooling, Douglas, Firebaugh, French, Goucher, Gregory, Heath, Henley, Henry, Hollister, Hunt, Hussey, Jones, Lafferty, Long, Loud, McDonald, McJunkin, McLean, McMurray, Porter, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, and Yule—40.

NOTICES OF RECONSIDERATION.

Mr. Munday gave notice that he would move to reconsider the vote whereby the enacting clause was stricken out of Assembly Bill No. 394.

Mr. McLean gave notice that he would move to reconsider the vote whereby Senate Bill No. 97 was lost.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 285—An Act to amend section two thousand six hundred and forty-two of the Political Code, relating to roads and highways.

Also, Assembly Bill No. 23—An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit or otherwise.

Also, Assembly Bill No. 264—An Act to provide for the organization of county agricultural associations, and for the management of same by State.

Also, Senate Bill No. 90—An Act to legalize acknowledgments of certificates in writing, required by section two of an Act entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866, heretofore made, signed, and acknowledged, and filed under section two of said Act.

Also, Senate Bill No. 119—An Act to provide for analyzing the mineral waters and other liquids and the medicinal plants of the State of California, and foods and drugs, to prevent the adulteration of the same.

Also, Senate Bill No. 326—An Act to appropriate money to provide for the deficiency in the appropriation for pay and mileage of the Lieutenant-Governor and Senators for the twenty-sixth session of the Legislature

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary

CONSIDERATION OF SENATE MESSAGES.

Mr. Corcoran moved that Senate Bills Nos. 90, 119, 326, and 285, be placed on special file.

So ordered.

Mr. Firebaugh moved that Senate Bills Nos. 68 and 69 be placed on special file.

So ordered.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 272—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section, numbered three hundred and thirty-seven, for the punishment of certain persons who encourage gaming.

Read third time.

CALL OF THE HOUSE.

Mr. Swayne moved a call of the House.

So ordered.

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

Messrs. Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker.

Quorum present.

Mr. Jones moved that further proceedings under the call of the House be dispensed with.

So ordered.

PASSAGE OF ASSEMBLY BILL No. 272.

The question then recurring on the passage of Assembly Bill No. 272.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—69.

NOES—Messrs. Britt, Dooling, Henry, McDonald, and Morris—5.

Title approved.

Mr. Jones moved that the bill be immediately transmitted to the Senate.

So ordered.

RECONSIDERATION.

Mr. Goucher moved to reconsider the vote whereby Assembly Constitutional Amendment No. 10 was lost.

CALL OF THE HOUSE.

Mr. Munday moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Munday moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then recurring on the motion to reconsider.

The roll call was demanded by Messrs. Goucher, Loud, and French.

The House refused to reconsider its action by the following vote:

AYES—Messrs. Ashe, Barnett, Britt, Buhlert, Clark, Coleman, Corcoran, Daley, Davis, Deveny, DeWitt, Douglas, Ellison, Franklin, French, Goucher, Heath, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, McDonald, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Russ, Sullivan, Torrey, Walrath, Ward of San Francisco, Whitcomb, and Mr. Speaker—41.

NOES—Messrs. Allen, Almy, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Colby, Cook, Culver, Dooling, Edwards, Firebaugh, Gregory, Hazard, Henley, Henry, Heywood, Laughlin, Loud, Lovell, May, McGlashan, McLean, Pellet, Porter, Roseberry, Swayne, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, and Woodward—33.

MOTIONS.

Mr. Jones moved that Senate Bill No. 30 be placed on special file.

So ordered.

Mr. McJunkin moved that messages from the Senate be taken up.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 134—An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Also, Senate Bill No. 241—An Act to provide for the commitment of persons convicted of crime to the House of Correction.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF MESSAGE FROM THE SENATE.

Senate Bill No. 134 was placed on special file.

Mr. McJunkin moved that the rules be suspended, and that Senate Bill No. 241 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 241—An Act to provide for the commitment of persons convicted of crime to the House of Correction.

Read first time, and ordered to second reading.

Mr. McJunkin moved that the bill be placed on the special file.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled:

Assembly Bill No. 262—Entitled "An Act to provide for the construction and maintenance of a public morgue in the City and County of San Francisco."

And the same was, at three o'clock and forty minutes P. M., March 3, 1885, presented to the Governor for his approval.

DALEY, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed.

Assembly Bills Nos. 315, 545, 573, and 518.

DEVENY, Chairman.

MOTION.

Mr. Wood moved that Senate Bill No. 166 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 166—An Act to authorize the Board of Fish Commissioners of this State to build and maintain a salmon hatchery, and providing ways and means therefor.

Read second time.

On motion of Mr. Wood, the rules were suspended and the bill considered without going into Committee of the Whole.

Ordered engrossed, and to be read third time.

MOTION.

Mr. Carter of Contra Costa moved that Assembly Bill No. 327 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 327—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be known as section six hundred and three, relating to the formation of religious incorporations for building and administering church property.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Cook, Culver, Davis, Douglas, Edwards, Firebaugh, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Morris, Patterson, Pellet, Porter, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—52.

NOES—Mr. Henley—1.

Title approved.

Mr. Hazard moved that the bill be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Pellet moved that Assembly Bill No. 409 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 409—An Act to authorize the cremation of the dead, and the erection, construction, location, and operation of crematories.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Culver, Davis, Deveny, Douglas, Edwards, Firebaugh, Goucher, Gregory, Hazard, Heath, Henley, Heywood, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Pellet, Porter, Roseberry, Russ, Walrath, Watson of Alameda, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—51

NOES—Messrs. Dooling, McDonald, Moffitt, and Sullivan—4.

Title approved.

MOTIONS.

Mr. Goucher moved that Assembly Bill No. 311 be made a special order for Wednesday, March 4, 1885, at eleven o'clock and thirty minutes A. M.

So ordered.

Mr. Jordan moved that Assembly Bill No. 564 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 564—An Act to amend section one thousand two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the change of names.

Read second time, ordered engrossed, and to be read third time.

MOTION.

Mr. Long moved that Assembly Bill No. 565 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 565—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporation.

Read second time, ordered engrossed, and to be read third time.

MOTIONS.

Mr. Jordan moved that Assembly Bills Nos. 564 and 565 be placed on the special file.

So ordered.

Mr. Walrath moved that Assembly Bill No. 242 be taken up for passage.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 242—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the support of the government of the State.

Read third time.

CALL OF THE HOUSE.

Mr. McMurray moved a call of the House.

So ordered.

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

Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Munday moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then being upon the passage of the bill, the roll was called, and the bill was lost by the following vote:

AYES—Messrs. Almy, Banbury, Britt, Carter of Contra Costa, Clark, Colby, Corcoran, Culver, Edwards, Laughlin, Loud, Munday, Roseberry, Torrey, Walrath, Watson of El Dorado, Wood, Woodward, and Mr. Speaker—19.

NOES—Messrs. Ashe, Buhlert, Carter of Solano, Cook, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Firebaugh, Franklin, Goucher, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Kalben, Lafferty, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Russ, Sullivan, Swayne, Van Voorhies, Ward of San Francisco, Whitcomb, and Yule—45.

NOTICE OF RECONSIDERATION.

Mr. Carter of Solano gave notice that he would move to reconsider the vote whereby Assembly Bill No. 242 was lost.

MOTION.

Mr. Munday moved that Assembly Bill No. 307 be taken up for passage.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 307—An Act to amend section twenty-five, subdivision four, of the Political Code, relating to an Act to establish

a uniform system of county and township governments, approved March 14, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Goucher, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Johnson, Jones, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Russ, Sullivan, Torrey, Walrath, Watson of El Dorado, Wood, Woodward, and Mr. Speaker—52.

NOES—Messrs. Hussey and Ward of Butte—2.

Title approved.

Ordered transmitted to the Senate immediately.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Jordan:

Resolved, That the Controller of State be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly for fifty dollars each in favor of the Minute Clerk and his assistant, in payment of the services required to be performed by them after the close of the session.

Mr. Jordan moved the suspension of the rules, and the adoption of the resolution.

So ordered.

By Mr. Pellet:

Resolved, That the clerks in the Sergeant-at-Arms' office be each allowed the same amount as is by law allowed the clerks at the desk, to enable them to balance the accounts of the office, and perform other necessary work after the close of the session, and forward warrants to absent members. The State Controller is hereby directed to draw his warrants in accordance with this resolution, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Porter:

WHEREAS, During the present session of the California Legislature, the Assembly has been in session, during a period of several weeks, from ten o'clock in the morning till after nine o'clock at night, thus entailing much additional extra work upon the employés and attachés in and about the Assembly Chamber; therefore, be it

Resolved, That the Porters, Pages, Watchmen, Doorkeepers, and Gatekeepers on the Assembly floor, the assistant Postmaster, and the Porter in the office of the Sergeant-at-Arms, be and they are hereby allowed extra pay for said extra service, in the sum of one dollar per day for the entire session, and the Controller of State is hereby instructed to draw his warrants in the sum of sixty dollars each, in favor of the persons designated above, payable out of the Contingent Fund of the Assembly, and the State Treasurer is instructed to cash such warrants.

Referred to Committee on Attachés and Employés.

By Mr. Ashe:

Resolved, That Arnold Goodfriend be and he is hereby appointed as Messenger of the Assembly, whose duties it shall be to box up and ship to the members of the Assembly their personal effects, such as books, papers, and files; also to stay here and mail to the Assemblymen the Weekly History, which is now being printed, and will not be ready at the close of the session, for which services he shall receive the sum of seventy-five dollars, said sum to be paid out of the appropriation for the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Jones:

Resolved, That Martin Steinmetz be and hereby is allowed the sum of two dollars per day, during the session of the Legislature, for lighting and caring for the gas lights of Assembly

Chamber, and the Controller is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in payment of the same.

Referred to Committee on Attachés and Employés.

REPORT OF STANDING COMMITTEE.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred the report of the Sergeant at-Arms of the Assembly, showing the amount of incidental expenses incurred by the Assembly during the twenty-sixth session, have had said report under consideration, and find that the accounts have been correctly kept, and vouchers appear for all items, and that there is a deficiency of one hundred and seven dollars and seventy-five cents, which amount is necessary to pay outstanding bills, and we respectfully recommend the adoption of the following resolution

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of Jerome Porter, Sergeant-at-Arms of the Assembly, for the sum of one hundred and seven dollars and seventy-five cents, payable out of the Contingent Fund of the Assembly, for the purpose of paying incidental expenses, incurred in excess of the appropriation, by the Assembly during the twenty-sixth session.

PATTERSON, Chairman.

Resolution adopted.

ACCOUNT OF SERGEANT-AT-ARMS.

Incidental Expense Appropriation of Twenty-sixth Session Assembly of California in account with Sergeant-at-Arms.

1885.		Cr.
January 19—By cash appropriation		$100 00
1885.	Dr.	
January 19—To Voucher No. 1	$0 50	
January 20—To Voucher No. 2	1 25	
January 20—To Voucher No. 3	42 65	
January 24—To Voucher No. 4	15 75	
January 31—To Voucher No. 5	2 50	
February 28—To Voucher No. 6	2 00	
February 28—To Voucher No. 7	1 50	
		66 15
Balance on hand		$33 85
Against which there are unpaid bills as follows:		
Capital Ice Company	$31 35	
C. A. Rave, locksmith	40 25	
W. B. Miller, repairing and attending clock during session	50 00	
Mrs. Mains, washing for Sergeant-at-Arms' office	16 00	
T. D. Scriver, hack hire	4 00	
		141 60
Deficiency		$107 75

For which appropriation is asked.
Respectfully submitted.

JEROME PORTER, Sergeant-at-Arms.

RECESS.

At five o'clock P. M. the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M.
Speaker Parks in the chair.
Quorum present.

Assembly Bill No. 404—An Act to amend section one thousand four hundred and ninety of the Code of Civil Procedure, in relation to the notice to creditors in probate proceedings.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Deveny, DeWitt, Dooling, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Johnson, Jordan, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Morris, Munday, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—58.

NOES—None.

Title approved.

Assembly Bill No. 405—An Act to amend section one thousand four hundred and sixty-nine of the Code of Civil Procedure.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Heath, Henry, Hollister, Johnson, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, McDonald, McGlashan, McJunkin, McLean, Morris, Munday, Patterson, Pellet, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—62.

NOES—None.

Title approved.

Assembly Bill No. 315—An Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to town lands granted to the unincorporated towns in this State by the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867, approved March 13, 1868."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, French, Goucher, Heath, Hollister, Johnson, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Pyle, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—58.

NOES—None.

Title approved.

Assembly Bill No. 454—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, Douglas,

Edwards, French, Goucher, Gregory, Heath, Hollister, Johnson, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Munday, Patterson, Pellet, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—59.

NOES—Messrs. Barnett, DeWitt, and Ward of Butte—3.

Title approved.

Assembly Bill No. 419—An Act to prevent the sale of tobacco to minors.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Culver, Davis, Deveny, DeWitt, Douglas, Edwards, Firebaugh, French, Goucher, Gregory, Heath, Hollister, Johnson, Jordan, Lafferty, Laughlin, Long, Lovell, McGlashan, McJunkin, McLean, McMurray, Munday, Patterson, Pellet, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—48.

NOES—Messrs. Allen, Ashe, Barnett, Britt, Colby, Dooling, May, McDonald, Mears, and Van Voorhies—10.

Title approved.

Assembly Bill No. 442—An Act making it the duty of the Secretary of State to furnish all public libraries with copies of State documents.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Deveny, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Heath, Hollister, Jordan, Lafferty, Laughlin, Loud, Lovell, McGlashan, McJunkin, McLean, McMurray, Mears, Munday, Patterson, Pellet, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, and Mr. Speaker—45.

NOES—Messrs. Britt, Torrey, Van Voorhies, and Woodward—4.

Title approved.

Assembly Bill No. 571—An Act to allow mileage to Sheriffs for conveying prisoners to the State Prisons and insane persons to the insane asylums, in lieu of per diem and expenses.

Passed on file.

Assembly Bill No. 486—An Act to amend section one thousand five hundred and twenty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, fixing the powers and duties of the State Board of Education.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Clark, Colby, Cook, Corcoran, Davis, Deveny, Dooling, Edwards, Firebaugh, Franklin, Heath, Hollister, Jones, Jordan, Lafferty, Laughlin, Long, Lovell, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Patterson, Pellet, Pyle, Roseberry, Russ, Swayne, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, and Mr. Speaker—44.

NOES—Messrs Douglas, Goucher, and Torrey—3.

Title approved.

Assembly Bill No. 487—An Act to amend section one thousand four hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the State Normal School.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Firebaugh, French, Goucher, Gregory, Heath, Hollister, Jones, Jordan, Laughlin, Long, Loud, Lovell, McDonald, McGlashan, McLean, McMurray, Mears, Morris, Patterson, Pellet, Roseberry, Russ, Torrey, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Woodward, Yule, and Mr. Speaker—50.

NOES—None.

Title approved.

Assembly Bill No. 308—An Act to authorize the Board of Fish Commissioners of this State to construct a steam launch, to aid in carrying out the purposes of said Board, and providing for the payment of claims incurred in said construction.

Read third time.

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

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Buhlert, Carter of Solano, Corcoran, Daley, Davis, Douglas, Edwards, Hollister, Johnson, Jones, Kalben, Long, Loud, McDonald, McMurray, Pyle, and Woodward—22.

NOES—Messrs. Allen, Barnett, Britt, Carter of Contra Costa, Clark, Colby, Cook, Culver, Deveny, DeWitt, Dooling, Firebaugh, French, Gregory, Heath, Hussey, Jordan, Lafferty, Lovell, May, McGlashan, McJunkin, McLean, Mears, Morris, Patterson, Pellet, Reeves, Roseberry, Russ, Sullivan, Torrey, Van Voorhies, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Yule, and Mr. Speaker—40.

NOTICE OF RECONSIDERATION.

Mr. McGlashan gave notice that he would move to reconsider the vote whereby Assembly Bill No. 308 was lost.

Assembly Bill No. 561—An Act to repeal "An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof," approved March 15, 1883; also, to provide for the payment of its indebtedness and disposition of its assets.

Read third time.

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

AYES—Messrs. Almy, Barnes, Britt, Carter of Contra Costa, Carter of Solano, Cook, Culver, Daley, Firebaugh, Goucher, Henry, Hollister, Johnson, Jones, Lafferty, Laughlin, Long, Loud, McDonald, McGlashan, McJunkin, McLean, Mears, Morris, Patterson, Pellet, Pyle, Russ, Sullivan, Swayne, Torrey, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, and Mr. Speaker—37.

NOES—Messrs. Allen, Ashe, Banbury, Barnett, Buhlert, Clark, Colby, Deveny, DeWitt, Dooling, Douglas, Edwards, French, May, Roseberry, Van Voorhies, Walrath, Watson of El Dorado, Wood, and Woodward—20.

NOTICE OF RECONSIDERATION.

Mr. Edwards gave notice that he would move to reconsider the vote whereby Assembly Bill No. 561 was lost.

Assembly Bill No. 179—An Act to amend section six hundred and thirty-six of the Penal Code, relative to fish and game.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Cook, Corcoran, Deveny, Dooling, Douglas, Edwards, Franklin, French, Heath, Henry, Hollister, Hussey, Johnson, Jones, Laughlin, Loud, May, McGlashan, McJunkin, McLean, McMurray, Morris, Munday, Patterson, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—50.

NOES—Messrs. Clark, DeWitt, Mears, and Pellet—4.

Title approved.

Assembly Bill No 31—An Act to amend an Act entitled "An Act declaring Islais Creek, in the City and County of San Francisco, a navigable stream," approved March 26, 1868, and to amend an Act entitled an Act approved March 28, 1868, to amend an Act entitled "An Act granting to certain persons therein named, the right to lay a railroad track along certain streets in the City and County of San Francisco," approved April 2, 1866, and to require the State Harbor Commissioners to remove certain obstructions from Islais Creek, in the City and County of San Francisco, and to build a drawbridge thereon, and to authorize its payment.

Read third time.

CALL OF THE HOUSE.

Mr. Douglas moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Henry, Hollister, Hunt, Hussey, Johnson, Jordan, Lafferty, Laughlin, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. French moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then recurring on the passage of the bill.

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

AYES—Messrs Banbury, Britt, Colby, Daley, Deveny, Franklin, French, Goucher, Hollister, Hussey, Johnson, Jones, Lafferty, McGlashan, McJunkin, McLean, McMurray, Patterson, Porter, Pyle, Roseberry, Sullivan, Swayne, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, and Mr. Speaker—29.

NOES—Messrs. Allen, Ashe, Barnes, Barnett, Buhlert, Carter of Solano, Clark, Corcoran, Culver, Davis, DeWitt, Douglas, Gregory, Heath, Jordan, Laughlin, Long, Loud, Mears, Morris, Pellet, Russ, Torrey, and Van Voorhies—23.

NOTICE OF RECONSIDERATION.

Mr. Douglas gave notice that he would move to reconsider the vote whereby Assembly Bill No. 31 was lost.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 348—An Act to appropriate fifteen thousand dollars for the erection of a monument commemorative of the discovery of gold in California, the same to be erected after the death of Jas. W. Marshall, the discoverer of gold; the said sum to be invested in such securities as the State Board of Examiners may deem best, and the interest accruing therefrom to be paid to the said James W. Marshall during his lifetime.

Read third time.

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

AYES—Messrs Banbury, Barnett, Buhlert, Carter of Solano, Clark, Corcoran, Daley, Davis, Deveny, DeWitt, Edwards, Franklin, French, Gregory, Hollister, Johnson, Jones, Lafferty, McDonald, McGlashan, Morris, Munday, Porter, Swayne, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of San Francisco, and Yule—30.

NOES—Messrs. Allen, Almy, Ashe, Britt, Carter of Contra Costa, Colby, Cook, Culver, Dooling, Goucher, Jordan, Laughlin, Long, May, McJunkin, McLean, McMurray, Mears, Patterson, Pellet, Pyle, Roseberry, Russ, Sullivan, Ward of Butte, Wood, Woodward, and Mr. Speaker—28.

NOTICE OF RECONSIDERATION.

Mr. Goucher gave notice that he would move to reconsider the vote whereby Assembly Bill No. 348 was lost.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 151—An Act prescribing the mode of maintaining and defending possessory action on unsurveyed public lands in this State.

Read third time, and passed on file.

Assembly Bill No. 157—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Buhlert, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Dooling, Edwards, Firebaugh, French, Heath, Hollister, Hussey, Johnson, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McMurray, Mears, Pellet, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—41.

NOES—None.

Title approved.

Assembly Bill No. 363—An Act to amend section one thousand one hundred and eighty-one of the Civil Code, relative to Circuit Court Commissioners.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Buhlert, Carter of Contra Costa, Carter of Solano, Cook, Corcoran, Culver, Davis, Dooling, Edwards, Franklin, French, Goucher, Gregory, Heath, Henry, Hollister, Johnson, Jones, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McLean, McMurray, Mears, Morris, Pellet, Pyle, Roseberry, Russ, Sullivan, Swayne, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr Speaker—42.

NOES—Messrs. Britt, Colby, Firebaugh, and Van Voorhies—4.

Title approved.

Assembly Bill No. 212—An Act to amend section four hundred and nineteen of the Civil Code.

Passed on file.

Assembly Bill No. 185—An Act to amend section one thousand one hundred and seventy of the Penal Code.

Passed on file.

Assembly Bill No. 406—An Act to compel individuals, companies, or corporations, possessing, owning, or controlling water for purposes of irrigating or mining, to distribute the water pro rata among purchasers in times of scarcity or drought

Read third time.

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

AYES—Messrs. Allen, Almy, Banbury, Buhlert, Carter of Solano, Corcoran, French, Gregory, Heath, Hollister, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McJunkin, McLean, Mears, Torrey, Van Voorhies, Ward of San Francisco, Whitcomb, and Mr. Speaker—26

NOES—Messrs Clark, Colby, DeWitt, Edwards, Firebaugh, Franklin, Goucher, Henry, Johnson, McDonald, McMurray, Morris, Munday, Patterson, Pyle, Russ, Swayne, Walrath, Ward of Butte, and Wood—20.

MOTION.

Mr. Loud moved that Senate Bill No. 90 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 90—An Act to legalize acknowledgments of certificates in writing, required by section two of an Act entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866, heretofore made, signed, and acknowledged, and filed under section two of said Act.

Read first time, and ordered to second reading.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 71—An Act regulating the height of division fences in cities and towns.

Also, Senate Bill No 108—An Act to amend section nine hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to appeals in civil cases.

Also, Senate Bill No. 120—An Act to appropriate money to pay the claims of W. F. Boardman, Grant I. Taggart, and C. T. H. Palmer, assignee of Sherman Day, for services as Commissioners in the action of The People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeiffer et al., in the Third District Court, Alameda County.

Also, Senate Bill No. 137—An Act to add a new section to the Political Code, to be known as section three thousand and eighty-four, relating to certification of cause of death and granting burial permits for a deceased person.

Also, Senate Bill No. 190—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporation.

Also, Senate Bill No. 89—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known and numbered as section nine hundred and twenty-seven, relative to the qualifications of deputies in State offices.

Also, Senate Bill No. 92—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to parties to civil action

Also, Senate Bill No. 317—An Act authorizing the Commissioners of any public park in this State, and especially the Park Commissioners of the Golden Gate Park, in San Francisco, to accept donations and bequests in aid of the improvement and embellishment of their respective parks, and to invest the funds derived therefrom.

EDWIN F. SMITH, Secretary.
By T. J. SAXE, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 3, 1885.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 174—An Act to amend section three thousand four hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preferred purchasers of public lands.

Also, Senate Bill No. 79—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Mr. McJunkin moved that Senate Bills be taken up for consideration.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 71—An Act regulating the height of division fences in cities and towns.

Read first time, and ordered to second reading.

Senate Bill No. 108—An Act to amend section nine hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to appeals in civil cases.

Read first time, and ordered to second reading.

Senate Bill No. 120—An Act to appropriate money to pay the claims of W. F. Boardman, Grant I. Taggart, and C. T. H. Palmer, assignee of Sherman Day, for services as Commissioners, in the action of The People of the State of California, by Jo Hamilton, Attorney-General, vs. Pfeiffer et al., in the Third District Court, Alameda County.

Read first time, and ordered to second reading.

Senate Bill No. 137—An Act to add a new section to the Political Code, to be known as section three thousand and eighty-four, relating to certification of cause of death and granting burial permits for a deceased person.

Read first time, and ordered to second reading.

Senate Bill No. 190—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporation.

Read first time, and ordered to second reading.

Senate Bill No. 317—An Act authorizing the Commissioners of any public park in this State, and especially the Park Commissioners of the Golden Gate Park, in San Francisco, to accept donations and bequests in aid of the improvement and embellishment of their respective parks, and to invest the funds derived therefrom.

Read first time, and ordered to second reading.

Senate Bill No. 92—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to parties to civil action.

Read first time, and ordered to second reading.

Senate Bill No. 89 was referred to Committee on Judiciary.

Senate Bill No. 68—An Act to amend section seven hundred and ninety-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Notaries Public.

Read first time, and ordered to second reading.

Senate Bill No. 30—An Act to amend section one thousand one hundred and seventy-two of the Penal Code, and to provide for exceptions in criminal cases.

Read first time, and ordered to second reading.

Senate Bill No. 247 was referred to Committee on Education.

Assembly Bill No. 47—An Act to prevent the overcrowding of asylums for the insane.

Read first time, and ordered to second reading.

Senate Bill No. 106—An Act to amend section three thousand eight hundred and twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the manner of the collection of taxes by the Assessor on certain personal property.

Senate Bill No. 154—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read first time, and ordered to second reading.

Senate Bill No. 325—An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor.

Read first time, and ordered to second reading.

Senate Bill No. 285—An Act to amend section two thousand six hundred and forty-two of the Political Code, relating to roads and highways.

Read first time, and ordered to second reading.

Senate Bill No. 326—An Act to appropriate money to provide for the deficiency in the appropriation for pay and mileage of the Lieutenant-Governor and Senators for the twenty-sixth session of the Legislature.

Read first time, and ordered to second reading.

Senate Bill No. 134—An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Read first time, and ordered to second reading.

Senate Bill No. 174—An Act to amend section three thousand four hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preferred purchasers of public lands.

Read first time, and ordered to second reading.

Senate Bill No. 79—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

Read first time, and ordered to second reading.

Senate Bill No. 119—An Act to provide for analyzing the mineral waters and other liquids and the medicinal plants of the State of California, and foods and drugs, to prevent the adulteration of the same.

Read first time, and ordered to second reading.

GENERAL FILE—FIRST READING OF BILL.

Assembly Bill No. 439—An Act to amend section one thousand two hundred and seventy-nine of the Civil Code of the State of California, in relation to conjoint or mutual wills.

Read first time, and ordered to second reading.

REPORTS OF STANDING COMMITTEES.

ON ATTACHES AND EMPLOYES.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

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

Resolved, That the sum of five hundred dollars be and hereby is directed to be paid to the Chief Clerk of the Assembly out of the appropriation for the Contingent Fund of the Assembly; said sum to be distributed by said Chief Clerk to himself and such other clerks who have performed and rendered services in compiling the Weekly History of Assembly Bills, Constitutional Amendments, and Concurrent Resolutions, and the Controller of State is hereby directed to draw his warrant for said sum in favor of Frank D. Ryan, Chief Clerk, and the Treasurer of State is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back, without recommendation.

HUSSEY, Chairman.

Resolution adopted.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. SPEAKER. Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled:

Assembly Bill No. 23—Entitled "An Act to authorize the State Treasurer to receive and the several County Treasurers to pay into the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer on deposit or otherwise."

And the same was, at eight o'clock and five minutes P. M., March 3, 1885, presented to the Governor for his approval.

DALEY, Chairman.

ADJOURNMENT.

At ten o'clock P. M., on motion of Mr. McJunkin, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 4, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

MOTION.

Mr. McGlashan moved that the report of the Committee on State Prisons be re-referred to the committee.

So ordered.

PETITION.

By Mr. Yule: From the citizens of Trinity County, relative to Assembly Bill No. 542.

Referred to Committee on Public Morals.

REPORT OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed Nos. 564, 565, and 518.

DEVENY, Chairman

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred the memorial and petition relating to Assembly Bill No. 220, lately lost in Assembly—have had the same under consideration, and now report the same back, without further action than to say that the bill in question cannot now be revived, but we are informed that a bill on the same subject is now pending in the Senate, which in due time will come to the Assembly, when an opportunity may be had for the petitioners to present their views on a lien law to committee to whom the bill is referred, and to have a hearing.

ALLEN, Chairman.

ON ATTACHES AND EMPLOYES.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

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

Resolved, That the clerks in the Sergeant-at-Arms' office be each allowed the same amount as is by law allowed the clerks at the desk, fifty dollars, to enable them to balance the accounts of the office, and perform other necessary work after the close of the session, and forward warrants to absent members. The State Controller is hereby directed to draw his warrants in accordance with this resolution, payable out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, without recommendation.

HUSSEY, Chairman.

Resolution adopted.

REPORT OF SELECT COMMITTEE.

The report of the select committee appointed to investigate the affairs of the Clerk of the Supreme Court was received and referred to Committee on Mileage.

REPORT OF COMMITTEE OF INVESTIGATION OF SAVINGS BANKS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: Your committee appointed "to make a full investigation of the moneys on deposit in the various savings and loan banks of the State which have remained unclaimed beyond the statutory period," respectfully report: That in the discharge of their duties they have summoned before them and examined the principal officers of several of the savings and loan banks of this State. They also appointed an expert to make as full and complete an examination as the limited time at our command would allow, of several of the savings and loan banks of San Francisco. From the evidence of the officers and report of the expert, the amount of money remaining unclaimed beyond the statutory period, while not large, is worthy the attention of the officer whose duty it is to see that it escheats to the State. They therefore recommend that all the papers in this case be turned over to the Attorney-General of the State.

Expenses of committee as follows:

Hon G. W. Long, mileage	$16 80
J P Brown, expert	136 80
Charles E. Stanton, services	124 00

They recommend the adoption of the following resolutions.

FRANK FRENCH, Chairman.

Resolved, That the Controller of State be and is hereby authorized and directed to draw his warrant upon the Contingent Fund of the Assembly for the sum of sixteen dollars and eighty cents in favor of Hon. W. G. Long, for mileage to San Francisco and return for the committee appointed to investigate the moneys on deposit in the savings and loan banks of this State.

Referred to Committee on Mileage.

Resolved, That the Controller of State be and is authorized and directed to draw his warrant upon the Contingent Fund of the Assembly for the sum of one hundred and thirty-six dollars and eighty cents in favor of J. P. Brown, for services as expert for the committee appointed to investigate the moneys on deposit in the savings and loan banks of this State.

Referred to Committee on Public Expenditures and Accounts.

Resolved, That the Controller of the State be and is hereby authorized and directed to draw his warrant upon the Contingent Fund for the sum of one hundred and twenty-four dollars, in favor of Charles E. Stanton, for service in serving papers, and mileage for the committee appointed to investigate the moneys on deposit in the savings and loan banks of this State.

Referred to Committee on Public Expenditures and Accounts.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, CAL., March 3, 1885.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 36—An Act to create a State Board of Forestry, and to provide for the expenses thereof.

Also, Assembly Bill No. 574—An Act to provide for a Contingent Fund for the Assembly, for the twenty-sixth session of the Legislature.

GEORGE STONEMAN, Governor.

CONCURRENT RESOLUTION.

By Mr. Edwards:

Resolved by the Assembly, the Senate concurring, That this Legislature adjourn sine die Saturday, March 7, 1885, at twelve o'clock noon.

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

The roll call was demanded by Messrs. Buhlert, Edwards, and Loud, and the motion was lost by the following vote:

AYES—Messrs. Ashe, Barnett, Carter of Contra Costa, Clark, Davis, DeWitt, Goucher, Hussey, Jones, Jordan, Long, Loud, McGlashan, Munday, Patterson, Pellet, Reeves, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr Speaker—25.

NOES—Messrs. Allen, Almy, Banbury, Barnes, Britt, Buhlert, Carter of Solano, Colby, Coleman, Cook, Corcoran, Daley, Deveny, Douglas, Edwards, Firebaugh, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Johnson, Laughlin, Lovell, May, McDonald, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Russ, Swayne, Torrey, Van Voorhies, and Whitcomb—39.

Mr. Henley moved to amend, by inserting Friday, at twelve o'clock noon, instead of Saturday, at twelve o'clock noon.

Mr. Jordan moved to refer the resolution to Committee on Public Morals.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Henry:

Resolved, That when this House do adjourn to-day, it shall be in honor of the inauguration of the President of the United States.

Mr. Colby moved to refer the resolution to Committee on Public Morals.

The roll call was demanded by Messrs. Munday, Coleman, and Henry, and the motion was lost by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Carter of Solano, Colby, Coleman, Cook, Culver, DeWitt, Douglas, Firebaugh, French, Hazard, Heywood, Hunt, Hussey, Kalben, Long, Loud, McGlashan, McJunkin, McMurray, Mears, Pellet, Roseberry, Russ, Swayne, Van Voorhies, Walrath, Ward of Butte, Weaver, and Wood—30.

NOES—Messrs. Allen, Ashe, Barnett, Britt, Carter of Contra Costa, Clark, Corcoran, Davis, Dooling, Edwards, Ellison, Goucher, Gregory, Henley, Henry, Hollister, Johnson, Jones, Jordan, Laughlin, Lovell, McDonald, Moffitt, Morris, Munday, Patterson, Porter, Reeves, Torrey, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Whitcomb, Woodward, and Mr. Speaker—36.

Mr. Morris offered the following substitute:

WHEREAS, That, for the first time in twenty-five years, the great Democratic party of our country, with anxious hopes and with throbbing heart, see to-day their chosen leader, Grover Cleveland, elevated to the position of President of this great and glorious nation, and, as the eyes of fifty million of freemen are upon him, as, amid the booming of cannon, the music of a thousand bands, and the martial tread of citizen soldiery, he, at this most auspicious moment, is being inaugurated, without the fear of dynamiters or socialists; therefore, be it

Resolved, That, when this Assembly adjourns to-day, it adjourns in honor of the inauguration of Grover Cleveland as President of these United States.

On motion of Mr. Weaver, the substitute and resolution were laid on the table.

By Mr. Goucher:

Resolved, That the members of Assembly be and they are hereby allowed ten dollars per diem as extra pay from the first day of the session, and the Controller is hereby authorized to draw his warrant accordingly.

Referred to Committee on Attachés and Employés.

MATTER OF URGENCY.

Mr. May moved, that in accordance with the provision of the Constitution, Senate Bill No. 326—An Act to appropriate money to meet the deficiency in the appropriation to pay the per diem and mileage of the Lieutenant-Governor and State Senators for the twenty-sixth session of the Legislature, be made a matter of urgency, and the provision of the Constitution requiring the reading of a bill on three separate days be suspended, and that the bill be read three times and put upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—67.

NOES—None.

Bill read first time, and ordered to second reading.

Mr. May moved that the rules be suspended, and that the bill be considered without going into Committee of the Whole.

So ordered.

Bill read second time.

Bill read third time, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Carter of Solano, Clark, Colby, Coleman, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Firebaugh, Franklin,

French, Goucher, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, and Mr. Speaker—62.

NOES—None.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 247—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty, one thousand five hundred and sixty-two, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, and one thousand eight hundred and fifty-nine of the Political Code, to add a new section, to be known as section one thousand eight hundred and thirty-four thereof, and to repeal sections one thousand five hundred and thirty-three, one thousand six hundred and eighteen, and one thousand seven hundred and ninety-two of said Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

JORDAN, Chairman.

MOTION.

Mr. Jordan moved that Senate Bill No. 247 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 247—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and nineteen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and twelve, one thousand six hundred and thirteen, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and seventy-six of the Political Code, to add a new section, to be known as section one thousand five hun-

dred and thirty-four of the Political Code, and to repeal sections one thousand six hundred and eighteen and one thousand seven hundred and ninety-two of the Political Code, relating to education and public schools.

Read first time, ordered to second reading, and to be placed on special file.

SPECIAL ORDER.

The hour for the consideration for special order for eleven o'clock A. M. this day having arrived, Assembly Bill No. 573—An Act to provide for the submission to the qualified electors of the State, for their approval, the amendment or amendments to the Constitution of the State of California proposed by the Legislature thereof at its twenty-sixth session—was taken up.

CALL OF THE HOUSE.

Mr. Jordan moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker.

Quorum present.

Mr. Henry moved that further proceedings under the call of the House be dispensed with.

So ordered.

PASSAGE OF ASSEMBLY BILL No. 573.

The question then being on the passage of Assembly Bill No. 573—the roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Pyle, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—58

NOES—Messrs. Ashe, Barnett, Britt, Carter of Solano, Coleman, DeWitt, Dooling, Ellison, Gregory, Hazard, Henley, Henry, Johnson, McLean, Munday, Roseberry, and Ward of Butte—17.

RECONSIDERATION.

Mr. McLean moved to reconsider the vote whereby Senate Bill No. 97 was lost.

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

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Goucher, Gregory, Hazard, Heath, Heywood, Hunt, Hussey, Jones, Jordan, Kalben, Laughlin, Lovell, McDonald, McGlashan, McLean, Morris, Munday, Patterson, Porter, Pyle,

Russ, Walrath, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, and Mr. Speaker—46.

NOES—Messrs. Britt, Carter of Solano, Colby, Edwards, Franklin, French, Henley, Hollister, Long, Loud, May, McJunkin, McMurray, Pellet, Roseberry, and Swayne—15.

MOTION.

Mr. Hollister moved that the bill be referred to a select committee of three, with instructions to amend.

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Messrs. Hollister, Corcoran, and Munday a committee to amend Senate Bill No. 97.

RECONSIDERATION.

Mr. McGlashan moved to reconsider the vote whereby Assembly Bill No. 308 was lost.

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

AYES—Messrs. Banbury, Barnes, Britt, Buhlert, Carter of Solano, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, Edwards, Franklin, French, Goucher, Hazard, Henley, Hollister, Hunt, Hussey, Johnson, Jones, Kalben, Lafferty, Laughlin, Loud, Lovell, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Munday, Patterson, Pyle, Reeves, Sullivan, Torrey, Walrath, Watson of El Dorado, Whitcomb, Wood, and Woodward—47.

NOES—Messrs. Allen, Almy, Ashe, Barnett, Carter of Contra Costa, Clark, Ellison, Firebaugh, Henry, May, Mears, Porter, Swayne, Van Voorhies, Watson of Alameda, Ward of Butte, Weaver, and Mr. Speaker—18.

The question then being on the passage of Assembly Bill No. 308, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Banbury, Barnes, Buhlert, Carter of Solano, Colby, Corcoran, Culver, Daley, Davis, DeWitt, Douglas, Edwards, Franklin, French, Goucher, Hazard, Henley, Hunt, Hussey, Jones, Kalben, Lafferty, Long, Loud, Lovell, McDonald, McGlashan, McJunkin, McLean, McMurray, Morris, Munday, Patterson, Pyle, Reeves, Sullivan, Torrey, Walrath, Whitcomb, Wood, and Woodward—41.

NOES—Messrs. Allen, Almy, Barnett, Carter of Contra Costa, Clark, Dooling, Ellison, Firebaugh, Gregory, Laughlin, May, Mears, Porter, Russ, Swayne, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, and Mr. Speaker—21.

Title approved.

WITHDRAWAL OF BILL.

By permission of the House, Mr. Hazard withdrew Assembly Bill No. 338.

SPECIAL ORDER.

The hour for the consideration of special order for eleven o'clock and thirty minutes A. M. this day having arrived, Assembly Bill No. 311—An Act to authorize the Chief of Police of any city or city and county, to appoint an interpreter of the Italian language and dialects in criminal proceedings in said cities and cities and counties—was taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Ashe, Banbury, Barnes, Buhlert, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Henley, Henry, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Sullivan, Swayne, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr Speaker—57.
NOES—Messrs. Allen, Almy, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Heath, Laughlin, Loud, Mears, Russ, Torrey, and Weaver—12.

Title approved.

SPECIAL FILE—SECOND READING OF BILL.

Senate Bill No. 316—An Act to amend section five hundred and thirty-four of the Political Code, relating to the salary of the Superintendent of State Printing.

Mr. Allen moved that the rules be suspended, and that the bill be considered without going into Committee of the Whole.

So ordered.

Read second time, and ordered to be read third time.

THIRD READING OF BILLS.

Assembly Bill No. 518—An Act to add a new section to the Political Code, to be numbered section three thousand five hundred and fifty-seven, relative to proceedings against delinquent purchasers.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Britt, Buhlert, Cook, Corcoran, Daley, Davis, Dooling, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Moffitt, Morris, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—53.
NOES—Mr. Ellison—1.

Title approved.

Assembly Bill No. 545—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor.

Read third time.

CALL OF THE HOUSE.

Mr. Munday moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker.

Quorum present.

Mr. Munday moved that further proceedings under the call of the House be dispensed with.

So ordered.

PASSAGE OF ASSEMBLY BILL No. 545.

The question then being on the passage of Assembly Bill No. 545, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, French, Goucher, Hazard, Heath, Henley, Henry, Heywood, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Woodward, and Mr. Speaker—63.

NOES—Mr. Hollister—1.

Title approved.

Senate Bill No. 282—An Act to provide an additional asylum for the insane of the State of California.

Read third time.

CALL OF THE HOUSE.

Mr. Corcoran moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker.

Quorum present.

Mr. Porter moved that further proceedings under the call of the House be dispensed with.

So ordered.

SENATE BILL No. 282 LOST.

The question then being upon the passage of Senate Bill No. 282, the roll was called, and the bill was lost by the following vote:

AYES—Messrs. Ashe, Barnes, Barnett, Britt, Buhlert, Clark, Coleman, Cook, Corcoran, Davis, DeWitt, Dooling, Ellison, Franklin, Goucher, Gregory, Hazard, Heath, Henry, Hunt, Hussey, Johnson, Lafferty, McDonald, McGlashan, McJunkin, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Pyle, Watson of El Dorado, Woodward, and Mr. Speaker—36

NOES—Messrs. Allen, Almy, Banbury, Carter of Contra Costa, Carter of Solano, Colby, Culver, Deveny, Douglas, Edwards, Firebaugh, French, Heywood, Hollister, Jones, Jordan, Laughlin, Long, Lovell, May, McLean, McMurray, Porter, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, and Wood—36.

SECOND READING OF BILL.

Assembly Bill No. 439—An Act to amend section one thousand two hundred and seventy-nine of the Civil Code of the State of California, in relation to conjoint or mutual wills.

Read second time, ordered engrossed, and to be read third time.

THIRD READING OF BILL.

Senate Bill No. 25—An Act to amend section one thousand seven hundred and twenty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to Public Administrators.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Davis, DeWitt, Dooling, Douglas, Edwards, Franklin, French, Gregory, Heath, Heywood, Hollister, Johnson, Jones, Jordan, Laughlin, Long, Lovell, May, McJunkin, McMurray, Moffitt, Morris, Munday, Pellet, Porter, Reeves, Sullivan, Torrey, Watson of Alameda, Whitcomb, and Mr. Speaker—46.

NOES—Messrs. Colby, Culver, Ellison, Firebaugh, McGlashan, Roseberry, Russ, Swayne, Walrath, Wood, and Woodward—11.

Title approved.

NOTICE OF RECONSIDERATION.

Mr. McJunkin gave notice that he would move to reconsider the vote whereby Senate Bill No. 25 passed.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 74—An Act entitled "An Act to provide for the future management of the State asylums for the insane."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Britt, Carter of Solano, Clark, Cook, Corcoran, Culver, Davis, DeWitt, Dooling, Douglas, Edwards, Firebaugh, French, Gregory, Hazard, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McJunkin, McMurray, Moffitt, Morris, Pellet, Porter, Reeves, Russ, Watson of Alameda, Whitcomb, Woodward, and Mr. Speaker—43.

NOES—Messrs. Ellison, Swayne, and Walrath—3.

Title approved.

MOTION.

Mr. May moved that Assembly Bill No. 268 be taken up for consideration.

So ordered.

Assembly Bill No. 268—An Act to amend section one thousand six hundred and sixty-two of the Political Code, relating to public schools.

MATTER OF URGENCY.

Mr. May moved that, in accordance with the provisions of the Constitution, Assembly Bill No. 268 be made a matter of urgency, and that the provision of the Constitution requiring the reading of a bill on three separate days be suspended, and that the bill be read first, second, and third times, and put upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald,

McGlashan, McJunkin, McMurray, Mears, Morris, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—63.
NOES—Mr. Gregory—1.

Bill read first time, and ordered to second reading.
Bill read second time.
The Committee on Education offered to amend as follows: amend section one, by striking out the words "when such separate schools are established, Chinese or Mongolian children must not be admitted into any other schools."
Lost.
Also, amend section two, by striking out the entire section.
Lost.
On motion of Mr. McJunkin, the rules were suspended, and the bill ordered considered engrossed, and to be read third time.
Bill read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—61.
NOES—None.

Title approved.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.

RECONSIDERATION.

Mr. Edwards moved to reconsider the vote whereby Assembly Bill No. 561 was lost.

CALL OF THE HOUSE.

Mr. McGlashan moved a call of the House.
So ordered.
The roll was called, and the following members answered to their names:

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. McGlashan moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then being upon the motion to reconsider, the roll was called, and the vote was ordered reconsidered by the following vote:

AYES—Messrs. Almy, Banbury, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Cook, Corcoran, Culver, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Laughlin, Long, Loud, Lovell, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Torrey, Watson of Alameda, Ward of Butte, Weaver, Whitcomb, and Yule—53.

NOES—Messrs. Allen, Ashe, Barnes, Clark, Colby, DeWitt, Dooling, French, May, Mears, Van Voorhies, Walrath, Wood, Woodward, and Mr. Speaker—15.

PASSAGE OF ASSEMBLY BILL No. 561.

The question being upon the passage of Assembly Bill No. 561, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Cook, Corcoran, Culver, Davis, Deveny, Douglas, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Laughlin, Long, Loud, Lovell, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Morris, Patterson, Porter, Pyle, Reeves, Russ, Sullivan, Torrey, Watson of Alameda, Ward of Butte, Weaver, Whitcomb, and Yule—48.

NOES—Messrs. Allen, Ashe, Barnes, Clark, Colby, DeWitt, Dooling, Edwards, Ellison, French, May, Mears, Munday, Van Voorhies, Walrath, Wood, Woodward, and Mr. Speaker—18.

Title approved.

NOTICE OF RECONSIDERATION.

Mr. Reeves gave notice that he would move to reconsider the vote whereby Senate Bill No. 282 was lost.

RECONSIDERATION.

Mr. Goucher moved to reconsider the vote whereby Assembly Bill No. 348 was lost.

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

AYES—Messrs. Barnes, Barnett, Britt, Buhlert, Carter of Solano, Cook, Corcoran, Davis, Deveny, Douglas, Franklin, French, Goucher, Gregory, Hazard, Henley, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Lafferty, McDonald, McGlashan, McMurray, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Sullivan, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, and Yule—41.

NOES—Messrs. Allen, Almy, Ashe, Carter of Contra Costa, Colby, Culver, Dooling, Edwards, Ellison, Firebaugh, Jordan, Laughlin, Long, Loud, Lovell, May, McJunkin, Pyle, Russ, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—25.

CALL OF THE HOUSE.

Mr. Davis moved a call of the House.

So ordered.

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

Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling,

Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker.

Quorum present.

Mr. McJunkin moved that further proceedings under the call of the House be dispensed with.

Lost.

The Sergeant-at-Arms was directed to bring in the absentees.

Mr. Walrath moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Weaver moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. May moved that further proceedings under the call of the House be dispensed with.

Lost.

At two o'clock and fifty minutes P. M., Mr. Weaver moved that the House adjourn.

Lost.

The clerk read the list of absentees, as follows: Messrs. Daley and Kalben.

Mr. May moved that they be excused.

Lost.

The Sergeant-at-Arms, being armed with the proper authority, was directed to arrest and bring in the absentees.

Mr. Walrath moved that further proceedings under the call of the House be dispensed with.

The roll call was demanded by Messrs. Walrath, Weaver, and Long.

The motion was lost by the following vote:

AYES—Messrs. Allen, Banbury, Barnes, Britt, Carter of Contra Costa, Colby, Culver, Edwards, Ellison, Firebaugh, French, Heath, Long, Loud, Lovell, May, McGlashan, McJunkin, Mears, Morris, Roseberry, Russ, Walrath, Watson of Alameda, Ward of Butte, Whitcomb, Woodward, and Mr. Speaker—27.

NOES—Messrs. Almy, Ashe, Barnett, Buhlert, Carter of Solano, Clark, Coleman, Cook, Corcoran, Davis, Deveny, DeWitt, Dooling, Douglas, Franklin, Goucher, Gregory, Hazard, Henry, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, McDonald, McMurray, Moffitt, Munday, Patterson, Porter, Pyle, Reeves, Sullivan, Torrey, Van Voorhies, Watson of El Dorado, and Ward of San Francisco—39.

MOTION TO ADJOURN.

At three o'clock and five minutes P. M., Mr. May moved that the House adjourn.

The roll call was demanded by Messrs. May, Walrath, and Coleman.

The motion was lost by the following vote:

AYES—Messrs Culver, Firebaugh, Heath, Hollister, Loud, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Moffit, and Morris—13.

NOES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Franklin, French, Goucher, Gregory, Henley, Henry, Hunt, Hussey, Johnson, Jones, Lafferty, Laughlin, Long, McLean, Munday, Patterson, Pellet, Porter, Pyle, Roseberry, Russ, Sullivan, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Woodward, and Mr. Speaker—50.

Mr. Goucher moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Jones moved that further proceedings under the call of the House be dispensed with.

Lost.

MOTION TO ADJOURN.

At three o'clock and ten minutes P. M., Mr. Culver moved that the House adjourn.

Lost.

Mr. Jordan moved that further proceedings under the call of the House be dispensed with.

Lost.

MOTION TO ADJOURN.

At three o'clock and twelve minutes P. M., Mr. McJunkin moved that the House adjourn.

Lost.

Mr. McLean moved that further proceedings under the call of the House be dispensed with.

So ordered.

MOTION.

Mr. Roseberry moved that the further consideration of Assembly Bill No. 348 be made a special order for Thursday, March 5, 1885, at three o'clock P. M.

Mr. Firebaugh moved to amend, by indefinitely postponing the bill.

The roll call was demanded on the amendment, by Messrs. May, Woodward, and Firebaugh.

The amendment was lost by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Carter of Contra Costa, Colby, Culver, Edwards, Ellison, Firebaugh, Heath, Laughlin, Long, Loud, Lovell, May, McJunkin, Mears, Pyle, Roseberry, Russ, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—29.

NOES—Messrs. Barnett, Buhlert, Carter of Solano, Clark, Coleman, Corcoran, Davis, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Goucher, Gregory, Hazard, Henley, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, McDonald, McGlashan, McLean, McMurray, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, and Ward of San Francisco—44.

The question then recurring on the motion of Mr. Roseberry, it was lost.

Mr. Goucher moved the previous question.

So ordered.

ASSEMBLY BILL No. 348 LOST.

The question then recurring on the passage of the bill, the roll was called, and the bill was lost by the following vote:

AYES—Messrs. Barnett, Buhlert, Carter of Solano, Clark, Coleman, Corcoran, Davis, Deveny, DeWitt, Douglas, Franklin, French, Goucher, Gregory, Hazard, Henley, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Lafferty, McDonald, McGlashan, McMurray, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, and Ward of San Francisco—40.

NOES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Carter of Contra Costa, Colby, Cook, Culver, Edwards, Ellison, Firebaugh, Heath, Jordan, Laughlin, Long, Loud, Lovell, May, McJunkin, McLean, Mears, Pyle, Reeves, Roseberry, Russ, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—33.

MOTION TO RECONSIDER.

Mr. Douglas moved to reconsider the vote whereby Assembly Bill No. 31 was lost.

The roll was called, and the House refused to reconsider the vote by the following vote:

AYES—Messrs. Allen, Banbury, Buhlert, Culver, Douglas, Ellison, Henley, Hollister, Johnson, Jones, Lovell, Moffitt, Roseberry, Swayne, Walrath, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, and Mr. Speaker—20.

NOES—Messrs. Ashe, Barnes, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Devony, DeWitt, Dooling, Edwards, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Hussey, Jordan, Loud, May, Mears, Pellet, Porter, Pyle, Reeves, Russ, Torrey, Van Voorhies, Watson of Alameda, and Woodward—35.

MOTION.

Mr. Swayne moved that Assembly Bill No. 424 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 424—An Act to provide for the payment of the claim of Colonel W. B. Burtis, for special services performed by him as Second Lieutenant, Company "F," Second Infantry Regiment, Second Brigade, N. G. C., pursuant to Special Orders Number Twenty-six, series 1880, issued from General Headquarters.

Mr. Swayne moved that the rules be suspended, and that the bill be considered without going into Committee of the Whole.

So ordered.

Bill read second time.

The question being on ordering the bill engrossed, and to be read third time, the roll call was ordered by the Speaker.

It was so ordered by the following vote:

AYES—Messrs. Banbury, Buhlert, Carter of Contra Costa, Colby, Cook, Davis, Dooling, Douglas, Edwards, Ellison, Franklin, French, Goucher, Heath, Henley, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, McDonald, McGlashan, McMurray, Moffitt, Patterson, Pellet, Pyle, Reeves, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—44.

NOES—Messrs. Allen, Almy, Ashe, Barnes, Britt, Carter of Solano, Culver, Gregory, Hollister, Mears, Munday, Porter, and Russ—13.

MOTION.

Mr. Heath moved that Assembly Bill No. 534 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 534—An Act relating to taxes paid to the Attorney-General of the State of California.

Read first time, and ordered to second reading.

SPECIAL FILE—SECOND READING OF BILL.

Senate Bill No. 292—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Read second time, ordered engrossed, and to be read third time.

THIRD READING OF BILLS.

Senate Bill No. 166—An Act to authorize the Board of Fish Commissioners of this State to build and maintain a salmon hatchery, and providing ways and means therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Britt, Buhlert, Carter of Solano, Colby, Cook, Corcoran, Davis, Deveny, Dooling, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Henley, Heywood, Hollister, Hunt, Hussey, Johnson, Jordan, Lafferty, Laughlin, Long, Lovell, McGlashan, McJunkin, McMurray, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, and Mr. Speaker—47.

NOES—Messrs. Ashe, Loud, Mears, and Woodward—4.

Title approved.

SECOND READING OF BILLS.

Senate Bill No. 190—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporation.

Read second time, and ordered to be read third time.

Senate Bill No. 108—An Act to amend section nine hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to appeals in civil cases.

Read second time, and ordered to be read third time.

Senate Bill No. 176—An Act concerning municipal corporations.

Read second time, and ordered to be read third time.

THIRD READING OF BILLS.

Assembly Bill No. 564—An Act to amend section one thousand two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the change of names.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Britt, Carter of Contra Costa, Colby, Coleman, Cook, Deveny, Edwards, Franklin, French, Hazard, Heath, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McJunkin, Mears, Moffitt, Patterson, Pellet, Pyle, Reeves, Russ, Swayne, Torrey, Watson of Alameda, Whitcomb, Wood, and Mr. Speaker—41

NOES—Messrs Ashe, Buhlert, Carter of Solano, Corcoran, Davis, Dooling, Ellison, Firebaugh, Gregory, Henley, Henry, McDonald, McGlashan, Munday, Porter, Sullivan, Van Voorhies, Watson of El Dorado, Ward of Butte, Ward of San Francisco, and Woodward—21.

Title approved.

Senate Bill No. 83—An Act to amend section three hundred and fifty-nine of an Act to establish a Civil Code, approved March 21, 1872, relating to powers of corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Buhlert, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, Deveny, Firebaugh, Franklin, French, Hazard, Heath, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald,

McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Pyle, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—55.

NOES—Messrs. Coleman, Dooling, Ellison, Gregory, Henley, and Johnson—6.

SECOND READING OF BILLS.

Senate Bill No. 269—An Act to amend section three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Read second time, and ordered to be read third time.

Senate Bill No. 270—An Act to amend section three thousand seven hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read second time, and ordered to be read third time.

Senate Bill No. 241—An Act to provide for the commitment of persons convicted of crime to the House of Correction.

Read second time, and ordered to be read third time.

Senate Bill No. 47—An Act to prevent the overcrowding of asylums for the insane.

Read second time.

Committee on Hospitals offered the following amendment:

Amend section one, line eight, by inserting, after the word "authority," the words "and it shall be his duty."

So ordered.

Mr. Firebaugh moved to strike out section two.

Lost.

Bill ordered printed, and to be read third time.

Senate Bill No. 71—An Act regulating the height of division fences in cities and towns.

Read second time, and ordered to be read third time.

Senate Bill No. 120—An Act to appropriate money to pay the claims of W. F. Boardman, Grant I. Taggart, and C. T. H. Palmer, assignee of Sherman Day, for services as Commissioners in the action of The People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeiffer et al., in the Third District Court, Alameda County.

By unanimous consent, the bill was considered without going into Committee of the Whole.

Bill read second time, and ordered to be read third time.

Senate Bill No. 137—An Act to add a new section to the Political Code, to be known as section three thousand and eighty-four, relating to certification of cause of death and granting burial permits for a deceased person.

Read second time, and ordered to be read third time.

Senate Bill No. 92—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to parties to civil action.

Read second time, and ordered to be read third time.

Senate Bill No. 317—An Act authorizing the Commissioners of any public park in this State, and especially the Park Commissioners of the Golden Gate Park, in San Francisco, to accept donations and

bequests in aid of the improvement and embellishment of their respective parks, and to invest the funds derived therefrom.

Read second time, and ordered to be read third time.

Senate Bill No. 325—An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor.

Mr. May moved that the bill be considered without going into Committee of the Whole.

So ordered.

Read second time, and ordered to be read third time.

Senate Bill No. 154—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read second time, and ordered to be read third time.

Senate Bill No. 106—An Act to amend section three thousand eight hundred and twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the manner of the collection of taxes by the Assessor, on certain personal property.

Read second time, and ordered to be read third time.

Senate Bill No. 68—An Act to amend sections three hundred and fifty and three hundred and fifty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to counterfeited trademarks.

Read second time, and ordered to be read third time.

Senate Bill No. 119—An Act to provide for analyzing the minerals, mineral waters, and other liquids, and the medicinal plants of the State of California, and of foods and drugs, to prevent the adulteration of the same.

Read second time, and ordered to be read third time.

Senate Bill No. 90—An Act to legalize acknowledgments of certificates in writing, required by section two of an Act entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanics' institutes, and other kindred protective associations," approved March 31, 1866, heretofore made or taken, and to legalize all certificates heretofore made, signed, and acknowledged, and filed under section two of said Act.

Read second time, and ordered to be read third time.

Senate Bill No. 285—An Act to amend section two thousand six hundred and forty-two of the Political Code, relating to roads and highways.

Read second time, and ordered to be read third time.

Senate Bill No. 30—An Act to amend section one thousand one hundred and seventy-two of the Penal Code, and to provide for exceptions in criminal cases.

Read second time, and ordered to be read third time.

Senate Bill No. 174—An Act to amend section three thousand four hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preferred purchasers of public lands.

Mr. Loud moved that this bill be referred to Committee on Swamp and Overflowed Lands.

So ordered.

Senate Bill No. 134—An Act to provide for Police Courts in cities

having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Read second time, and ordered to be read third time.

Senate Bill No. 79—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

Read second time.

Mr. Corcoran moved to amend as follows: strike out the word "receiving," wherever it occurs in conjunction with the word "sewer."

So ordered.

Also, strike out subdivision ten, part three.

So ordered.

Mr. Munday moved to amend as follows: add a new section to read:

SEC. 38. This Act shall not apply to cities or towns now incorporated under an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883.

So ordered.

Bill ordered to be read third time.

RECONSIDERATION.

Mr. Jordan moved to reconsider the vote whereby Senate Bill No. 79 was ordered to be read third time.

So ordered.

Mr. Jordan moved to reconsider the vote whereby the amendments offered by Mr. Corcoran were adopted.

Withdrawn by consent of the House.

Bill ordered to be read third time.

MOTION.

Mr. Pyle moved that Assembly Bill No. 340 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 340—An Act to amend section six hundred and twenty-six of the Penal Code, and to add a new section thereto, to be known as section six hundred and twenty-seven, relating to the preservation of fish and game.

Read second time.

The Committee on Fish and Game offered to amend as follows: amend title, so as to read as follows:

An Act to add a new section to the Penal Code, to be known as section six hundred and twenty-seven, relating to the preservation of fish and game.

So ordered.

Also, strike out all of section one of the bill.

So ordered.

Also, make section two read section one.

So ordered.

Bill ordered engrossed, and to be read third time.

RESOLUTIONS.

WHEREAS, It will require four or five days after the adjournment of the House to write up, compare, and rule the Journal, and also in consideration of the extra work devoted to ruling said Journal, for which no extra compensation has been allowed, therefore, be it

Resolved, That Frank J. Brandon, Frank W. Marston, and A. L. Pratt, Journal Clerks, each be allowed the sum of fifty dollars for the above extra work, and the Controller of State be and he is hereby authorized and directed to draw his warrant for the same, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled

Assembly Bill No. 264—Entitled "An Act to provide for the organization of county agricultural associations, and for the management of the same by the State."

Also, Assembly Constitutional Amendment No. 15—Proposed amendment to article thirteen of the Constitution, relative to taxation.

And the same were, at three o'clock and forty minutes P. M., March 4, 1885, presented to the Governor for his approval.

PELLET, Chairman pro tem.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Nos. 439 and 424.

DEVENY, Chairman.

RECESS.

At five o'clock and thirty minutes P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M. Speaker Parks in the chair.

MOTION.

Mr. Clark moved that Senate Bill No. 323 be placed on special file. So ordered.

SPECIAL ORDER.

The hour for the consideration of special orders for seven o'clock and thirty minutes P. M. this day having arrived, Assembly Bill No. 449—An Act to amend section one thousand and eighty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1882, relating to the qualification of voters—was taken up.

Read second time.

The Committee on Public Morals offered to amend as follows: insert, in section one, line eight, after the word "days," the words "and in the election precinct thirty days."

So ordered.

Mr. Henley moved to amend as follows: "Section 2. Every female person in this State over twenty-one years of age is hereby declared a male."

Lost.

The question then being on ordering the bill engrossed, and to be read third time, the roll call was demanded by Messrs. Lovell, Munday, and Colby.

The bill was lost by the following vote:

AYES—Messrs. Barnes, Carter of Contra Costa, Carter of Solano, Gregory, Heath, Hollister, Lovell, Long, Loud, McGlashan, McJunkin, Pellet, Porter, Reeves, Russ, Torrey, Walrath, Watson of Alameda, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—25.

NOES—Messrs. Ashe, Barnett, Britt, Buhlert, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Edwards, Firebaugh, Franklin, French, Hazard, Henley, Johnson, Jones, Kalben, Lafferty, McMurray, Moffitt, Morris, Munday, Patterson, Pyle, Sullivan, and Van Voorhies—32.

NOTICE OF RECONSIDERATION.

Mr. Walrath gave notice that he would move to reconsider the vote whereby the House refused to order Assembly Bill No. 449 engrossed, and to be read third time.

REPORT OF STANDING COMMITTEE.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the resolutions introduced by the Committee on Investigation of the office of J. W. McCarthy, Clerk of the Supreme Court—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

LAFFERTY, Chairman.

Mr. Corcoran moved to refer the report of the Investigating Committee back to that committee for further consideration.

So ordered.

Mr. Firebaugh moved the reconsideration of the action taken on the resolutions appropriating money to pay mileage, etc., of Jerome Porter and George Greene, and the reference of same with the balance of the report.

So ordered.

MOTION.

Mr. Jordan moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Concurrent Resolution No. 25—Relative to the law providing for the reimbursement to the State of all sums expended in defense of the United States.

Also, Senate Concurrent Resolution No. 26—Relative to an adjustment of the accounts of the different States with the United States arising out of proceedings under the direct tax law of January 5, 1861.

Also, Senate Bill No. 323—An Act to allow compensation to Sheriffs for conveying prisoners to State Prisons and insane persons to the insane asylums.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

Also the following:

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Also, Senate Bill No. 112—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and ninety-one, and one thousand one hundred and ninety-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and add four new sections thereto, to be known, numbered, and designated as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three, all relating to liens of mechanics and others upon real property, and to carry out the mandate of section fifteen, of article twenty, of the Constitution.

EDWIN F. SMITH, Secretary,
By F. J. SAXE, Assistant Secretary.

Also, the following:

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 182—An Act to amend section eight of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations, and for the management and control of the same by the State," approved April 15, 1880.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

Also, the following:

SENATE CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California, for the thirty-seventh and thirty-eighth fiscal years.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Concurrent Resolutions Nos. 25 and 26 were ordered on file.

Senate Bill No. 323—An Act to allow mileage to Sheriffs for conveying prisoners to the State Prisons, and insane persons to the insane asylums, in lieu of per diem and expenses.

Read first time, and ordered to second reading.

Senate Bill No. 112—An Act to amend sections one thousand eight hundred and eighty-three, one thousand eight hundred and eighty-four, one thousand one hundred and ninety-one, and one thousand one hundred and ninety-five of an Act of the Legislature of the State of California, entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add four new sections thereto, to be known, numbered, and designated as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three—all relating to liens of mechanics and others upon real property, and to carry out the mandate of section fifteen, article twenty, of the Constitution.

Read first time, and ordered to second reading.

Senate Bill No. 182—An Act to amend sections eight and eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read first time, and ordered to second reading.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Hussey:

Resolved by the Assembly, the Senate concurring, That the twelfth day of October of each and every year be and the same is hereby declared to be a legal holiday, in commemoration of the discovery of the Western Continent by Christopher Columbus.

Lost.

MOTION.

Mr. Morris moved that Assembly Bill No. 288 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 288—An Act to amend section one thousand three hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to letters of administration, to whom, and the order in which they are granted.

Read first time, and ordered to second reading.

RECONSIDERATION.

Mr. Munday moved to reconsider the vote whereby the enacting clause was stricken out of Assembly Bill No. 394.

The roll was called, and the action was reconsidered by the following vote:

AYES—Messrs. Barnett, Clark, Coleman, Davis, Deveny, DeWitt, Dooling, Edwards, French, Hazard, Heath, Henley, Hussey, Johnson, Jones, Jordan, Lafferty, May, McGlashan, Mears, Morris, Munday, Patterson, Pyle, Russ, Torrey, Watson of Alameda, Ward of San Francisco, Woodward, and Mr. Speaker—30.

NOES—Messrs. Barnes, Britt, Carter of Contra Costa, Carter of Solano, Culver, Loud, Pellet, Porter, Reeves, Roseberry, Van Voorhies, Ward of Butte, and Wood—13.

The question then being on ordering Assembly Bill No. 394 engrossed, and to be read third time, it was so ordered.

MOTION.

Mr. Loud moved that Assembly Bill No. 120 be taken up for consideration.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 120—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section two thousand five hundred and fifty-four, relating to the collection of wharfage on merchandise by the Board of State Harbor Commissioners.

Read second time, ordered engrossed, and to be read third time.

ADJOURNMENT.

At eight o'clock and forty-five minutes P. M., on motion of Mr. Edwards, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 5, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER. Your Committee on Claims, to whom was referred Assembly Bill No. 557—have had the same under consideration, and respectfully report the same back, without recommendation.

SWAYNE, Chairman

ON PUBLIC EXPENSES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR SPEAKER Your Committee on Public Expenditures and Accounts, to whom was referred the following resolutions, would respectfully report, that they have had the same under consideration, and recommend that they do pass.

PATTERSON, Chairman.

Resolved, That the Controller of State be and is authorized and directed to draw his warrant upon the Contingent Fund of the Assembly, for the sum of one hundred and twenty-four dollars, in favor of Charles E. Stanton, for services in serving papers, and mileage for the committee appointed to investigate the moneys on deposit in the savings and loan banks of this State.

Resolution adopted.

Resolved, That the Controller of State be and is authorized and directed to draw his warrant upon the Contingent Fund of the Assembly, for the sum of sixteen dollars and eighty cents, in favor of Hon W. G. Long, for mileage to San Francisco and return, for the committee appointed to investigate the moneys on deposit in the savings and loan banks of this State.

Resolution adopted.

Resolved, That the Controller of State be and is authorized and directed to draw his warrant upon the Contingent Fund of the Assembly, for the sum of one hundred and thirty-six dollars and eighty cents, in favor of J. P. Brown, for services as expert for the committee appointed to investigate the moneys on deposit in the savings and loan banks of this State

Resolution adopted.

ON YOSEMITE VALLEY AND MARIPOSA GROVE OF BIG TREES AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1885.

MR. SPEAKER: Your Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry have visited, in the discharge of their duty, the office of the Yosemite and Forestry Commission at San Francisco, and recommend the adoption of the following resolution:

Resolved, That the Controller of State be and he is authorized and directed to draw his warrant upon the Contingent Fund of the Assembly for the sum of thirty-three dollars and sixty cents, in favor of the Chairman of the Yosemite Valley and Forestry Committee, for mileage of one member of the committee and clerk to San Francisco.

LONG, Chairman.

Resolution adopted.

Also:

MR. SPEAKER Your Committee on Yosemite Valley and Mariposa Grove of Big Trees and Forestry respectfully report, that, in the discharge of their duties, and by permission of the House, they visited and inspected the office of the Yosemite and Forestry Commission in San Francisco. That they made a thorough and careful examination of all the books, accounts, and vouchers of the Treasurer and Secretary of the Commission, and of the Guardian of the Valley, and found them all to be correct and fairly kept, and the balance of cash on hand to correspond with their memorandum. We suggest that, in view of the magnitude of their transactions, the Commissioners make a radical change in their method of bookkeeping, and that a systematic use and exchange of vouchers and receipts be inaugurated.

LONG, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: Your Committee on Education, upon whom it devolved to visit the State University, the Deaf, Dumb, and Blind Asylum, and the State Normal Schools at Los Angeles and San José, have visited the same, and beg leave to submit the following report:

University.

Your committee spent a portion of a day in visiting the various colleges pertaining to this institution, when it became apparent that there were no suggestions which the committee could profitably make. We found the institution enjoying as great a degree of prosperity as could be expected, the corps of professors and instructors perfectly efficient, and the different departments fairly well supplied with apparatus.

Deaf, Dumb, and Blind Asylum.

Your committee found this institution also in a very flourishing condition, and in no way needing their special attention. They were given an opportunity to witness the method of instruction of the unfortunate inmates of this institution, and cannot give too much credit to the Superintendent and teachers in charge for the efficient service they are there rendering to the State.

Los Angeles Normal School.

Your committee has a generally favorable report to make with regard to this school. They found that the museum is sadly in need of some cases to contain the constantly increasing number of specimens The library, also, is seriously in need of new books, as there are, at present, very few for the use of the students.

We found, further, with regard to the attendance, that the school is somewhat overcrowded. To remedy this, it is proposed that a certain room is to be vacated by the city schools for the use of the Normal School, when it will become necessary to fit it up with new desks. In all other respects we found the school in a flourishing condition.

San José Normal School.

Your committee found everything in this institution in as good condition as possible, with the exception that here, as well as in the school at Los Angeles, they are sadly in need of more library books. Your committee is highly pleased at the generally good condition in which they found all the institutions which it became their duty to visit, and cannot too highly commend the efficiency of their managers and instructors.

JORDAN, Chairman.

ON STATE PRISONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

To the honorable Assembly of the State of California:

The following is respectfully submitted to your honorable body, as the result of our investigation of the affairs of the State Prisons of this State, with some comments, but no reflections

on the discipline and management adopted at the two prisons. The large and expensive jute manufactory, its magnificent machinery, utensils, and material, should find employment for a large number of convicts at San Quentin, and at some future day, with the addition of many other extensive manufactories at that point, lighten the taxes of our State in the matter of support of convicts. The extensive granite quarry, stonecutting yard, together with the farm at Folsom, must, in the future, prove a success, and remunerative to the State.

Your committee, with the assistance of a well known reliable expert, examined carefully the books and papers at San Quentin, as much for the purpose to inquire into the profit and loss of the various manufacturing departments, as to any irregularities that might exist at the prison. It is with great satisfaction and pride to us, as a committee representing the Assembly on State Prisons, and a congratulation to the taxpayers of this State, for us, after a careful examination into every department of the prisons, to be able to report that we found everything connected with the prison in a healthy financial condition, with no shadow of peculation on the part of the outgoing administration, or the management of the present one.

We hereto attach to our report a clear and concise statement of carefully compiled figures (marked Exhibit "A"), showing the profit and loss of the following manufacturing departments at San Quentin for the fiscal year ending June 30, 1883, the fiscal year ending June 30, 1884, and the six months ending December 31, 1884, to wit: jute, door, chair, harness, tannery, tub and pail, foundry, brick, and belt manufacturing departments. The credit side of this carefully compiled statement is a good financial showing, and speaks volumes in favor of the prison management:

EXHIBIT "A."

Statement of Profit and Loss in Manufactories at San Quentin State Prison.

Fiscal year ending June 30, 1883:			
Chair department		$7,808 60	
Door department		19,613 15	
Foundry department		3,101 46	
Harness department		6,763 35	
Jute department		29,922 33	
Tannery department		6,002 31	
Tub and pail department		4,802 50	
			$78,014 14
Fiscal year ending June 30, 1884:			
Belt department		$187 41	
Jute department		1,345 59	
Harness department		5,044 68	
Door department		28,711 65	
Furniture department	$1,239 55		
Add for over invoice of stock afterward corrected on the books by order of Board of Directors	2,814 96		
		4,054 51	
		$39,343 84	
Less loss in foundry department	$825 81		
Tannery department	728 63		
Brick department	64 44		
Jute (error in inventory)	3,900 00		
		5,518 88	
			$33,824 96
Estimated profit from June 30, 1884, to December 31, 1884:			
Brick department		$6,929 70	
Door department		16,119 05	
Furniture department		4,445 25	
Harness department		1,728 63	
Tannery department		1,731 07	
		$30,953 70	
Less loss in jute department		2,320 70	
			$28,633 00

Previous to the convening of the session of the present Legislature, some unjust comments had been made (probably by a partisan spirit) against the future success of the jute manufacturing department at San Quentin in the management of these extensive and costly works, in the purchase and manufacture of jute fabrics, and the successful sale of jute bags, and other articles made from the same material, in the markets on the Pacific Coast. This committee, in order to do justice to all officers connected at San Quentin with this branch of industry, as to the manufacture of jute fabrics, and the sale of all articles manufactured from jute fiber, went into a full investigation of all matters at issue.

After a patient and careful inquiry, your committee unanimously say that not the slightest foundation exists for any censure upon ex-Warden Ames, or the present Warden, Paul Shirley, in the matters brought before the committee.

In the matter of difference as to an entry on the Warden's books of thirty-seven thousand and ninety-six dollars for supplies charged to Warden Ames during Warden Shirley's administration, it was a clerical error without doubt, and was fully explained by the witnesses cited to appear before your committee; the matter of difference being more fully explained by the bookkeeper who made the entry referred to.

G. P. Hart, present clerk of Warden Shirley, and who made the entry in the Warden's books, in his testimony before the committee, says Ex-Warden Ames should have been credited with the supplies furnished the prison for the whole month of November, instead of up to the first day of November, 1883, making the above named difference, which should have been charged to Warden Shirley, of $37,096 for supplies furnished during his administration, instead of a charge against ex-Warden Ames. Your committee, after a careful review of all the facts brought before them, fully exonerate ex-Warden Ames from the slightest imputation of wrong, and Warden Shirley from any motive to do injustice to his predecessor. The present Board of Prison Directors are all gentlemen of intelligence, integrity, and well established business character, and they will probably be able, by the introduction of additional industries, to give every prisoner employment, and make the various manufactories self-supporting, as soon as the system of labor is well organized. And in referring to the high qualifications of the gentlemen comprising the present Board of Prison Directors, your committee, in justice to themselves and the State at large, cannot consistently close this report without paying a just and deserving compliment to the able management of the old Board of Directors, who, during their term of office, laid the groundwork of this magnificent jute manufactory.

The old Board had many things to contend against in the incipiency of this new and untried enterprise on this coast, and many other new enterprises started during their administration. Notwithstanding these disadvantages, they brought order out of chaos, made the institution a financial success, and when they surrendered up their office of responsibility and trust, everything in and around the prisons was working on a substantial basis. They have the thanks of your committee, and we think the citizens throughout the State, for the executive ability and integrity shown during their term of office.

Manufactories at San Quentin are yet in their infancy, and time should be allowed to give the State Prison Directors, with the assistance of the Warden, a full opportunity to carry out this great problem of the manufacture of jute fiber, in competition with the cheap labor of foreign countries.

When your committee visited the San Quentin and Folsom Prisons, the prisoners, without a dissenting voice, expressed the most kindly feelings towards the officers in charge, and no complaints of cruelty or injustice were made, though ample opportunity was offered. There are now one thousand one hundred and ninety-five prisoners crowded within the walls of San Quentin, and from a close inspection of the prison building, and the statement of the officers in charge, your committee are fully convinced that the cell accommodations are greatly inadequate for the large number now confined there.

In a humanitarian point of view, we are satisfied that not more than one prisoner should be confined in each cell at San Quentin. Many of these cells in the old department of the prison should be improved and made more comfortable, or, at least, more cheerful in many respects for their unfortunate occupants. This institution, when originally built, was constructed without any well ordered plan or system, in connection with the great work committed to its first officers.

Contractors were careless in the discharge of their duties, and were grossly negligent in carrying out the plans intrusted to them, in the original construction of the prison. Large sums of money were squandered in the construction of this prison, and the wall inclosing it, which, if judiciously used, would have built a substantial edifice of much larger dimensions, and containing a larger number and more commodious cells.

We trust with these few kind suggestions, the Prison Directors will, at an early day, make the much needed changes, which humanity require.

The experience of other States and countries show they have been, in a large measure, subject to the same errors as our own State. The model prison, with perfect management, that meets the ends of justice in the punishment of crime; that reforms the unfortunate transgressors of the law, and is at the same time self-supporting, is yet to be found; yet the progress in this department has, in the past few years, wrought great changes in prison management.

Folsom Prison is a model of penal institutions, and your committee can say, with pride and pleasure, that the whole structure, from its base to the highest turret, is a grand piece of impenetrable, solid granite; a credit to the State, and a lasting monument to the efficient and able Warden who has faithfully and carefully looked after its construction.

Your committee made it their especial work to visit every part of the farm, grounds, granite quarry, stonecutting department, blacksmith shops, and every part of the prison. They examined, in detail, every department, and, without a single exception, found everything in the most perfect condition, and in general good order. Each and every branch of the prison had a regular system, and yet, as a whole, this great body moved slowly, and, like a grand piece of machinery, not a jar or friction could be found in any one part of this great structure.

The park contains three hundred and fifty acres of choice land, all under splendid cultivation. When your committee drove over this model farm in the latter part of February it showed the handiwork of the farmer in every acre cultivated. The soil was well tilled and the whole tract planted in cereals.

The dairy is a model farm within itself. A fine band of milch cows, most of them raised on the place, furnished the prison with all a well appointed dairy could supply, besides a profit realized to the State from this branch of the farm.

The poultry yard and vegetable garden was another feature, and a favorable one in this farming department, and satisfied your committee that the Warden, in utilizing this large body of rich land belonging to the State, was saving for the benefit of its taxpayers a considerable sum of money.

Your committee learned from the Warden that the prison at the present time contained five hundred and twenty-three prisoners. Of this number, one hundred and fifty were employed in the granite quarry getting out stone for the massive wall now being constructed, and for the markets of this coast; and one hundred were employed cutting stone. The remaining prisoners are employed constructing sewers, building the granite wall around the prison, clearing trees, farming, building new roads over and to and from the prison grounds, and putting in good order the whole prison grounds within the State tract. We found here a little city of itself, and a small army of laborers improving the State's property, making every acre more valuable by careful cultivation, and preparing for market a valuable commodity for which there will always be a demand, and the supply of which, for all time, will be inexhaustible.

This bringing order out of chaos, building a grand massive structure of beautiful granite, being surrounded by a solid impenetrable wall of the same material.

A green, well cultivated farm, all springing from this wild rocky waste, on the banks of the American River, within a very brief period, is certainly a credit to the indomitable perseverance of the Warden and Prison Directors, who have so successfully carried out this great and important work. This inexhaustible quarry of granite, from present appearances, and from statements of practical quarrymen and geologists, will last for ages, and give employment for thousands of prisoners for all time to come

On visiting the stonecutting department we were informed by the foreman of the works that the one hundred prisoners employed there all learned the trade at Folsom under him, and that his experience with them proved they would compete with any similar body of stonecutters on the Pacific Coast.

These men are not only employed cutting stone for the building of the wall around the prison, but are engaged cutting and polishing this beautiful granite, for the macadamizing of streets, cemetery work, building material, and supplying all needs of the State in competition with other stone.

The foreman of the quarry informed us that the character of the granite greatly improved as they progressed in depth, and from all indications, it would prove to be one of the most valuable granite quarries in the Union, when fully opened. He informed us that they were now shipping from the stonecutting yard over thirty carloads of cut stone per month, mostly for paving and crossing stones. The net value of each carload is seventy-five dollars, and yet this quarry is not yet opened fairly for workmen.

To show the immense work done at this quarry and stonecutting yard, your committee counted twenty-one forges, or bellows, used in the blacksmith shops for sharpening tools, these being run by thirty-eight blacksmiths, to supply the necessary tools for the stonecutters and quarrymen.

Your committee in their visit through the various departments of the prison closely inspected each and every department.

They closely examined the dining rooms, cells, commissary and medical rooms, hospital wards and bathing room, and closely questioned the officers in charge of each as to the management and workings of their several stations. We found the cells of prisoners large, comfortable and airy, neat and clean, many of the unfortunate inmates having, with much taste and industry, brightened them by books, pictures, and hangings of cheap prints around their iron bedsteads.

The hospital wards were large and well ventilated, with windows of sufficient size to admit a field of warm sunlight. The hospital wards were truly inviting to the sick man, but we found no patients. And this incident of itself speaks well for the sanitary management of this place, which, in former years, was considered unhealthy.

Your committee regret that, in rendering this report, want of sufficient time while at Folsom prevents them from going into all the details, as to the construction of the building, the wall being built around it, the granite quarry, and the grounds which surround the building.

In justice to the subordinate officers in charge of the various departments that we visited, which were carefully inspected, we have only to say the whole system is perfect, and each department a success.

We cannot leave this branch of our report without reference to what we think a new departure, and, to our mind, a favorable one in prison matters. In the dining rooms we found three departments, making three grades for prisoners as to good behavior, which is a species of credits, or reward of merit, even in dining room promotion

The highest reward for good behavior here gives the prisoner a brighter dining room—crockeryware, instead of tin—and brighter spoons than the unfortunate in the grade below him. The second grade receive bright tinware, bright spoons, and in cheerfulness, the next best dining room. The unfortunate but hardened criminal who seeks no promotion here, must remain in the lower grade, where his table tinware is greatly battered, and, like the culprit, looks dark, dingy, and forlorn. The food, in quality, in a slight measure, ranks higher on good behavior.

Your committee would suggest that another tier of cells be built at an early day, and that a substantial iron roof be put upon the building, which, in the aggregate, will not cost to exceed twenty-five thousand dollars. This prison will then be in a condition to take care of one thou-

sand prisoners. When the immense quarry is opened, and sufficient room made in the stone cutting yard, one half of this large number of prisoners can be learned the stonecutting trade, and, in this way, the Folsom Prison can, in time, be made self-supporting.

In leaving the subject of the management of the branch prison at Folsom, your committee, after a full and close examination into the details connected with this young but growing branch of our California prisons, and looking into the future success of this institution from our present standpoint, we must, in justice to ourselves and all parties connected with State Prison affairs, congratulate the Directors and the citizens of the State in having selected a Warden who has been a credit to the institution, and would do great credit to any of the older penal institutions of our sister States.

Your committee cannot close their report without calling the attention of this honorable Assembly, and the Board of Prison Directors, to the important fact of the many youthful offenders incarcerated with the old hardened criminals of our State.

At San Quentin, in particular, very many boys under eighteen years of age, and in two or three cases, under sixteen years, we found exposed to the society of the most hardened criminals within our prison walls.

The juvenile reformatories of other States and other countries have not proved a failure, and will not here, on the contrary, in all countries where God's bright sun shines juvenile reformatories have been a success, where properly managed. They have proved a success in this our own State, and adjoining Pacific States.

The same system which has benefited, when applied to adult criminals, will benefit and cure the younger criminals.

The habits of idleness are not so firmly rooted in their character. Their worst vices are often little more than imitation, and do not indicate deep-seated depravity.

By the exhibition of firmness, system, and emulation, they can, beyond a doubt, be reformed, and in time become good members of society.

What opportunity for reform have these poor unfortunate boys, when surrounded by these old hardened criminals, who have spent their lives in crime? Their young minds are blasted by contact with these miserable wretches, whose hearts are harder than the granite rock they cut at Folsom.

These boys should be taken away, and kept from these damning associations They should have more freedom, and yet withal be kept employed. It is by reposing confidence in these young outcasts, in stimulating their ambition, in cultivating their self-respect, in giving them something to hope for, and something to be proud of, that their characters are changed and they are reformed.

We truly hope the day is near at hand when our philanthropic citizens, our Christian people, and those in charge of our penal institutions, will look to this important matter, and brighten the dark path of our wandering criminal boys.

JOSEPH ALMY, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Joint Resolution, relative to adjournment sine die of the Legislature—have had the same under consideration, and, being unable to comprehend the same, respectfully report, and recommend that the resolution be referred to the Committee on Crimes and Penalties.

R. C. CARTER, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR SPEAKER: Your Committee on Mileage, to whom was referred the following resolutions, on the investigation of the case of J. W. McCarthy, Clerk of the Supreme Court, report herewith a bill of expenses, and offer the following resolutions to cover the same

Resolved, That the Controller be and is authorized and directed to draw his warrant upon the Contingent Fund of the Assembly for the sum of one hundred and twenty-nine dollars and eighty cents, in favor of Jerome Porter, Sergeant-at-Arms of the Assembly, and the State Treasurer is hereby directed to pay the same

Resolution adopted.

Resolved, That the Controller be and is authorized and directed to draw his warrant upon the Contingent Fund of the Assembly for the sum of one hundred and thirty-six dollars and forty cents, in favor of George Greene, for services as special deputy to Sergeant-at-Arms in the McCarthy investigation case, and the State Treasurer is hereby directed to pay the same.

Resolution adopted.

Resolved, That the Controller of State be and is authorized and directed to draw his warrant upon the Contingent Fund of the Assembly, for the sum of four hundred and forty-five dollars and ninety-five cents, in favor of Frank J. Moffitt, Chairman of Committee of Investigation in

the McCarthy case, for the per diem and mileage of witnesses in said case, and for telegraph expenses incurred, and the State Treasurer is hereby directed to pay the same.

Resolution adopted.

Resolved, That the Controller of State be and is authorized and directed to draw his warrant upon the Contingent Fund of the Assembly for the sum of three hundred and thirty dollars in favor of N. H. Peterson, for services as stenographer to committee in the investigation of the McCarthy case, and the State Treasurer is hereby directed to pay the same.

Resolution adopted.

Resolved, That the Controller of State be and is authorized and directed to draw his warrant upon the Contingent Fund of the Assembly, for the sum of one hundred dollars, in favor of Henry C. Brown for services as expert to committee in the investigation of the McCarthy case, and the State Treasurer is hereby directed to pay the same.

LAFFERTY, Chairman.

Resolution adopted.

ON ATTACHES AND EMPLOYES.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution—have had the same under consideration, and recommend as follows: that Martin Steinmetz be allowed two dollars per diem from the commencement of the session, and the Controller draw his warrant in the sum of one hundred and twenty dollars, payable out of the Contingent Fund of the Assembly.

Resolution adopted.

WHEREAS, During the present session of the California Legislature, the Assembly has been in session during a period of several weeks, from ten o'clock in the morning till after nine o'clock at night, thus entailing much additional extra work upon the employes and attachés in and about the Assembly Chamber, therefore, be it

Resolved, That the Porters, Pages, Watchmen, Doorkeepers, and Gatekeepers on the Assembly floor, the Assistant Postmaster, and the Porter in the office of the Sergeant-at-Arms be and they are hereby allowed extra pay for said extra service, in the sum of one dollar per day for the entire session, and the Controller of State is hereby instructed to draw his warrant in the sum of sixty dollars each, in favor of the persons designated above, payable out of the Contingent Fund of the Assembly, and the State Treasurer is instructed to cash such warrants.

Without recommendation.

Resolution adopted.

WHEREAS, It will require four or five days after the adjournment of the House to write up, compare, and rule the Journal, and also in consideration of the work devoted to ruling said Journal, for which no extra compensation has been allowed: therefore, be it

Resolved, That Frank J. Brandon, Frank W. Marston, and A. L. Pratt, Journal Clerks, each be allowed the sum of fifty dollars, for above extra work, and the Controller of State be and he is hereby authorized and directed to draw his warrant for the same, payable out of the Contingent Fund of the Assembly.

Your committee recommend that it do pass.

HUSSEY, Chairman.

Resolution adopted.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 537—An Act to provide for the impounding of mining debris—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

JONES, Chairman.

FIRST READING OF BILL.

By unanimous consent of the House, Assembly Bill No. 537 was taken up, read first time, ordered to second reading, and ordered on the special file.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. SPEAKER Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 505—An Act to provide for the inspection and sealing of gas meters, and the protection of consumers of illuminating gas.

Also, Assembly Bill No. 536—An Act to provide for the granting of franchises to use streets, and for the use of streets in incorporated cities and counties, cities, or towns, and for the transportation of local passengers therein.

Also, Assembly Bill No 541—An Act to amend section eight hundred and seventy-seven of "An Act to provide for the organization, incorporation, and government of municipal corporations." approved March 13, 1883.

Also, Assembly Bill No. 548—An Act to provide for the weighing of hay in cities and towns, and to provide for a weigher.

Also, Assembly Bill No. 553—An Act to declare when a vacancy exists in any elective or appointive office, board, or commission of any county, city, city and county, township, or municipality, and to provide for filling the same.

Have had the same under consideration, and respectfully report the same back, without recommendation.

LOUD, Chairman.

RECONSIDERATION.

Mr. Watson moved to reconsider the vote whereby the House refused to order Assembly Bill No. 449 engrossed, and to be read third time.

The roll call was demanded by Messrs. Lovell, Watson of Alameda, and McGlashan.

The vote was ordered reconsidered by the following vote:

AYES—Messrs. Banbury, Barnes, Carter of Contra Costa, Carter of Solano, DeWitt, Douglas, Heath, Hunt, Jordan, Laughlin, Loud, Lovell, McGlashan, McJunkin, McLean, Mears, Moffitt, Porter, Reeves, Russ, Swayne, Torrey, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—31.

NOES—Messrs. Allen, Almy, Barnett, Britt, Buhlert, Clark, Corcoran, Culver, Daley, Davis, Deveny, Edwards, Ellison, Firebaugh, French, Hazard, Johnson, Jones, Kalben, Lafferty, May, McDonald, McMurray, Morris, Munday, Sullivan, Van Voorhies, and Walrath—28.

The question being upon ordering the bill engrossed, and to be read third time, the roll call was demanded by Messrs. Walrath, Henry, and Loud.

The bill was lost by the following vote:

AYES—Messrs. Banbury, Barnes, Barnett, Carter of Contra Costa, Carter of Solano, Douglas, Heath, Hunt, Jordan, Laughlin, Long, Loud, Lovell, McGlashan, McJunkin, McLean, Mears, Porter, Reeves, Russ, Swayne, Torrey, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—30.

NOES—Messrs. Allen, Ashe, Britt, Buhlert, Clark, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Edwards, Ellison, Firebaugh, French, Hazard, Henry, Johnson, Jones, Kalben, Lafferty, May, McDonald, McMurray, Moffitt, Morris, Munday, Patterson, Pellet, Sullivan, Walrath, and Watson of El Dorado—32.

RECONSIDERATION.

Mr. McJunkin moved to reconsider the vote whereby Senate Bill No. 25 was passed.

CALL OF THE HOUSE.

Mr. McJunkin moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long,

Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker.

Quorum present.

Mr. McJunkin moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then recurring on the motion of Mr. McJunkin to reconsider, the roll was called, and the vote was ordered reconsidered by the following vote:

AYES—Messrs. Banbury, Barnes, Buhlert, Coleman, Cook, Culver, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, French, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Jones, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Pellet, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—45.

NOES—Messrs. Allen, Almy, Ashe, Barnett, Britt, Carter of Contra Costa, Corcoran, Daley, DeWitt, Dooling, Goucher, Gregory, Kalben, Laughlin, McMurray, Moffitt, Morris, Munday, Patterson, Porter, and Pyle—21.

SENATE BILL No. 25 LOST.

The question then being on the passage of the bill, the roll was called, and the bill was lost by the following vote:

AYES—Messrs Allen, Almy, Ashe, Barnett, Britt, Carter of Contra Costa, Carter of Solano, Cook, Corcoran, Dooling, Goucher, Johnson, Laughlin, Mears, Munday, Patterson, Pyle, Reeves, Torrey, Van Voorhies, and Ward of San Francisco—21.

NOES—Messrs. Banbury, Barnes, Buhlert, Coleman, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, Firebaugh, Franklin, Gregory, Hazard, Heath, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Morris, Pellet, Porter, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—47

INTRODUCTION OF A BILL.

Mr. May asked permission to introduce a bill under the constitutional provision requiring the consent of two thirds of the members of the Assembly.

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

AYES—Messrs. Allen, Almy, Buhlert, Carter of Contra Costa, Clark, Daley, Deveny, Edwards, Firebaugh, Hazard, Hollister, Hunt, Hussey, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McJunkin, McMurray, Russ, Ward of San Francisco, Whitcomb, and Mr. Speaker—27.

NOES—Messrs. Ashe, Banbury, Barnes, Barnett, Britt, Carter of Solano, Colby, Coleman, Cook, Corcoran, Culver, Dooling, Douglas, Ellison, Gregory, Henley, Heywood, Johnson, Jones, Jordan, McGlashan, McLean, Mears, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Wood, and Woodward—39.

RECONSIDERATION.

Mr. Corcoran moved to reconsider the vote whereby Senate Bill No. 282 was lost.

Mr. Firebaugh moved the previous question.

So ordered.

CALL OF THE HOUSE.

Mr. Corcoran moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Firebaugh moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then being on the motion to reconsider, the roll was called, and the vote was ordered reconsidered by the following vote:

AYES—Messrs. Ashe, Barnes, Barnett, Britt, Buhlert, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Davis, DeWitt, Dooling, Douglas, Ellison, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Johnson, Jordan, Kalben, Lafferty, Long, McDonald, McJunkin, McLean, Mears, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Sullivan, Van Voorhies, Watson of El Dorado, Ward of San Francisco, Whitcomb, Woodward, and Yule—47.

NOES—Messrs. Allen, Almy, Banbury, Carter of Contra Costa, Culver, Deveny, Edwards, Firebaugh, Hunt, Hussey, Jones, Laughlin, Loud, Lovell, May, McGlashan, McMurray, Roseberry, Russ, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Weaver, and Wood—26.

PASSAGE OF SENATE BILL No. 282.

The question then being on the passage of Senate Bill No. 282, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Ashe, Barnes, Barnett, Britt, Buhlert, Carter of Solano, Clark, Coleman, Cook, Corcoran, Davis, DeWitt, Dooling, Douglas, Ellison, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Johnson, Kalben, Lafferty, Long, McDonald, McJunkin, Mears, Morris, Munday, Pellet, Porter, Pyle, Reeves, Sullivan, Van Voorhies, Watson of El Dorado, Ward of San Francisco, Whitcomb, Woodward, and Yule—43

NOES—Messrs. Allen, Almy, Banbury, Carter of Contra Costa, Colby, Culver, Deveny, Edwards, Firebaugh, Hunt, Hussey, Jones, Jordan, Laughlin, Loud, Lovell, May, McGlashan, McLean, McMurray, Patterson, Roseberry, Russ, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Weaver, and Wood—30.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M., Speaker pro tem. Weaver in the chair.

Quorum present.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Allen:

Resolved by the Assembly, the Senate concurring, That this Legislature do adjourn sine die Saturday, March 7, 1885, at twelve o'clock M.

Mr. Munday moved to lay on the table.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Edwards:

Resolved, That all Standing Committees of the Assembly be and they are hereby directed to report back all bills in their possession.

So ordered.

By Mr. Munday:

Resolved, That the Controller of State be and he is hereby authorized and directed to draw all warrants for the per diem of officers of the Assembly from and after this fifth day of March, 1885. Said warrants to be drawn on the appropriation for the Contingent Fund of the Assembly, and the Treasurer of the State is hereby directed to pay the same.

Resolution adopted.

By Mr. Edwards:

WHEREAS, The law provides for the payment to the Chief Clerk and his assistants, and the Assembly, by resolution, has allowed the Minute Clerk and his assistant the sum of fifty dollars each for extra work; therefore, be it

Resolved, That the State Controller is hereby authorized and directed to draw his warrant in favor of S. F. Taylor, Copying Clerk, for the sum of fifty dollars, and the Treasurer is directed to pay the same out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. McMurray:

WHEREAS, The Postmistress of the Assembly, Mrs. L. C. Stratton, is obliged to remain for several days after the close of the session, in order to settle up the affairs of the Post Office, and to return the mail to the members of the Assembly, therefore, be it

Resolved, That the Postmistress, Mrs. L. C. Stratton, be paid the sum of fifty dollars for such services, and the Controller is hereby authorized to draw his warrant in favor of Mrs. L. C. Stratton for the same out of the proper fund.

Referred to Committee on Attachés and Employés.

By Mr. Ward of San Francisco:

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant in favor of the committee clerks for the first nine days of the session, at the regular der diem, payable out of the Contingent Fund of the Assembly, and the State Treasurer is directed to pay the same.

Referred to Committee on Attachés and Employés.

REPORTS OF STANDING COMMITTEES.

ON STATE LIBRARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER. Your Committee on State Library, to whom was referred Assembly Bill No. 476—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

REEVES, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. SPEAKER. Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Assembly Bills Nos. 340, 394, and 120.

DEVENY, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled:

Assembly Bill No. 221—Entitled "An Act to appropriate money to pay the indebtedness incurred under an Act entitled 'An Act to promote drainage,' approved April 23, 1880."

And the same was, at eleven o'clock and thirty-five minutes A. M., March 5, 1885, presented to the Governor for his approval.

DALEY, Chairman.

MOTIONS.

Mr. McJunkin raised the point of order, that the resolutions adopted this morning, allowing extra pay to various attachés and employés, required a roll call, and a two-thirds vote, to pass, under the rules of the House, and he moved a reconsideration of the action whereby the resolutions were adopted.

Mr. Weaver moved to lay the motion to reconsider on the table.

So ordered.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 316—An Act to amend section five hundred and thirty-four of the Political Code, relating to the salary of the Superintendent of State Printing—having been read third time, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Banbury, Barnes, Barnett, Britt, Carter of Contra Costa, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Munday, Patterson, Pellet, Porter, Reeves, Russ, Swayne, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, and Mr. Speaker—58.

NOES—Messrs Carter of Solano, Colby, Loud, Roseberry, Torrey, Walrath, Wood, and Woodward—8.

Title approved.

Assembly Bill No. 439—An Act to amend section one thousand two hundred and seventy-nine of the Civil Code of the State of California, in relation to conjoint or mutual wills.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Edwards, French, Gregory, Hazard, Heath, Henley, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Lafferty, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Munday, Pellet, Porter, Reeves, Russ, Sullivan, Torrey, Walrath, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—48.

NOES—Messrs. Britt, Ellison, Firebaugh, Henry, and Moffitt—5.

Title approved.

Assembly Bill No. 394—An Act in relation to trespassing animals.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Allen, Almy, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Clark, Colby, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Hazard, Heath, Henley, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, May, McGlashan, McLean, Mears, Moffitt, Morris, Munday, Reeves, Russ, Torrey, Watson of Alameda, Woodward, and Mr. Speaker—42.

NOES—Messrs. Britt, Edwards, Ellison, Firebaugh, Loud, Lovell, McDonald, McMurray, Porter, Roseberry, Sullivan, Swayne, Van Voorhies, Walrath, Ward of Butte, Ward of San Francisco, Weaver, and Wood—19.

Title approved.

Assembly Bill No. 340—An Act to amend section six hundred and

twenty-six of the Penal Code, and to add a new section thereto, to be known as section six hundred and twenty-seven, relating to the preservation of fish and game.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Franklin, French, Heath, Hunt, Hussey, Johnson, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Moffitt, Munday, Reeves, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—46.

NOES—Messrs. Ellison, Firebaugh, Porter, and Ward of Butte—4.

Title approved.

Senate Bill No. 292—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Passed to the foot of the file.

Senate Bill No. 269—An Act to amend section three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of lands sold at tax sale.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Almy, Banbury, Barnes, Black, Buhlert, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Dooling, Douglas, Edwards, Firebaugh, Franklin, French, Hazard, Heath, Henley, Henry, Hunt, Hussey, Johnson, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McMurray, Mears, Patterson, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—52.

NOES—Messrs. Carter of Solano and Ellison—2.

Title approved.

Senate Bill No. 270—An Act to amend section three thousand seven hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, Edwards, French, Hazard, Heath, Henry, Hunt, Hussey, Johnson, Jordan, Kalben, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Patterson, Reeves, Russ, Swayne, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—47.

NOES—Messrs. Carter of Solano and Ellison—2.

Title approved.

Senate Bill No. 176—An Act concerning municipal corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Deveny, Dooling, Edwards, Ellison, Franklin, French, Hazard, Heath, Henley, Hussey, Johnson, Kalben, Lafferty, Laughlin, Lovell, May, McDonald, Mears, Moffitt, Patterson, Reeves, Russ, Sullivan, Torrey, Van Voorhies, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, and Mr. Speaker—42.

NOES—Messrs. Colby, Douglas, Firebaugh, McGlashan, McJunkin, and Woodward—6.

Title approved.

Senate Bill No. 241—An Act to provide for the commitment of persons convicted of crime to the House of Correction.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Deveny, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Hazard, Heath, Henley, Hollister, Hussey, Johnson, Jordan, Kalben, Long, Lovell, May, McJunkin, McMurray, Moffitt, Reeves, Russ, Sullivan, Van Voorhies, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr Speaker—47.

NOES—Messrs. Colby and Mears—2.

Title approved.

Senate Bill No. 47—An Act to prevent the overcrowding of asylums for the insane.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Corcoran, Culver, Daley, Dooling, Edwards, Firebaugh, French, Hazard, Heath, Henley, Hollister, Hunt, Hussey, Johnson, Jones, Kalben, Lafferty, Laughlin, Loud, Lovell, May, McGlashan, McJunkin, McMurray, Moffitt, Munday, Patterson, Porter, Pyle, Reeves, Russ, Sullivan, Van Voorhies, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—52.

NOES—Mr. Ellison—1.

Title approved.

Senate Bill No. 71—An Act regulating the height of division fences in cities and towns.

Read third time.

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

AYES—Messrs. Banbury, Barnes, Black, Coleman, Corcoran, Davis, Deveny, Dooling, Edwards, Ellison, Franklin, French, Hazard, Heath, Henley, Henry, Hollister, Kalben, Lafferty, McDonald, McJunkin, McMurray, Mears, Moffitt, Munday, Russ, Sullivan, Swayne, Van Voorhies, Watson of Alameda, Ward of San Francisco, Whitcomb, and Wood—35.

NOES—Messrs. Allen, Almy, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Culver, Daley, Firebaugh, Hunt, Jones, Jordan, Laughlin, Loud, Lovell, May, McGlashan, Patterson, Pyle, Reeves, Torrey, Weaver, Woodward, and Mr. Speaker—26.

NOTICE OF RECONSIDERATION.

Mr. Jones gave notice that he would move to reconsider the vote whereby Senate Bill No. 71 was lost.

THIRD READING OF BILL—(RESUMED).

Senate Bill No. 108—An Act to amend section nine hundred and thirty-nine of the Code of Civil Procedure of the State of California, relating to appeals in civil cases.

Read third time.

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

AYES—Messrs. Almy, Banbury, Barnes, Black, Clark, Daley, Davis, Deveny, Dooling, Ellison, Franklin, French, Loud, McJunkin, Swayne, Walrath, and Mr. Speaker—17.

NOES—Messrs. Britt, Carter of Contra Costa, Colby, Coleman, Cook, Corcoran, Douglas, Edwards, Firebaugh, Hazard, Heath, Henley, Hollister, Hunt, Jones, Jordan, Kalben, Laughlin, Long, Lovell, May, McGlashan, McLean, Mears, Moffitt, Munday, Pyle, Reeves, Russ, Sullivan, Van Voorhies, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, and Woodward—37.

Senate Bill No. 120—An Act to appropriate money to pay the claims of W. F. Boardman, Grant I. Taggart, and C. T. H. Palmer, assignee of Sherman Day, for services as Commissioners, in the action of The People of the State of California, by Jo Hamilton, Attorney-General, vs. A. Pfeiffer et al., in the Third District Court, Alameda County.

Read third time.

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

AYES—Messrs. Almy, Barnes, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Cook, Davis, Deveny, DeWitt, Edwards, Ellison, Franklin, Henry, Hollister, Hunt, Jones, Jordan, Long, Loud, McGlashan, McLean, Moffitt, Patterson, Pellet, Van Voorhies, Woodward, and Mr. Speaker—29

NOES—Messrs. Buhlert, Colby, Coleman, Corcoran, Culver, Douglas, Firebaugh, Gregory, Hazard, Heath, Lovell, May, Mears, Munday, Reeves, Roseberry, Russ, Swayne, Torrey, Watson of Alameda, Ward of Butte, Weaver, and Whitcomb—22.

NOTICES OF RECONSIDERATION.

Mr. May gave notice that he would move to reconsider the vote whereby Senate Bill No. 108 was lost.

Mr. Watson of Alameda gave notice that he would move to reconsider the vote whereby Senate Bill No. 120 was lost.

MOTION.

Mr. Firebaugh moved that Senate Bill No. 69 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 69—An Act to amend sections three thousand one hundred and ninety-seven and three thousand one hundred and ninety-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to trademarks.

Read first time, and ordered to second reading.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 5, 1885.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 562—An Act to provide for the grading and graveling of that portion of N Street, between Tenth and Fifteenth Streets, in the City of Sacramento, adjoining the State Capitol grounds, and to provide for payment of the same.

Also, Assembly Bill No. 350—An Act to authorize the construction and leasing of a hotel in the Yosemite Valley, and to appropriate money therefor.

Also, Assembly Bill No. 3—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 4—An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 76—An Act making appropriation for a deficiency in the appropriation for the salary of the Clerk of the State Board of Equalization for the thirty-fifth and thirty-sixth fiscal years

Also, Assembly Bill No. 97—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at San Quentin for the thirty-fourth fiscal year.

Also, Assembly Bill No. 98—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Surveyor-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 99—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Attorney-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 100—An Act making an appropriation for the deficiency in the appropriation for copying maps in the office of the Surveyor-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 101—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in the office of the Superintendent of Public Instruction for the thirty-fourth fiscal year.

Also, Assembly Bill No. 102—An Act making an appropriation for the deficiency in the appropriation for contingent expenses of the State Board of Equalization for the thirty-fourth fiscal year

Also, Assembly Bill No. 103—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in the office of the Clerk of Supreme Court for the thirty-fourth fiscal year.

Also, Assembly Bill No. 124—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses of the Supreme Court for the thirty-fifth fiscal year.

Also, Assembly Bill No. 125—An Act making an appropriation for the deficiency in the appropriation for continuing special investigation in the Agricultural Department of the State University for the thirty-fifth fiscal year.

Also, Assembly Bill No. 161—An Act to provide for the deficiency in the appropriation for the salary of Clerk of the Supreme Court during the thirty-fourth fiscal year.

Also, Assembly Bill No. 167—An Act making an appropriation for the deficiency in the support of the State Prison at San Quentin for the thirty-fifth fiscal year.

Also, Assembly Bill No. 168—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at the State Prison at San Quentin for the thirty-fifth fiscal year.

Also, Assembly Bill No. 77—An Act making an appropriation for a deficiency in the appropriation for traveling expenses of the State Board of Equalization for the thirty-fifth fiscal year.

Also, Assembly Bill No. 346—An Act making appropriation for a deficiency in the appropriation for the salary of Secretary, and completion of State Engineer's report, and maps on irrigation for the thirty-fourth fiscal year.

Also, Assembly Bill No. 90—An Act making an appropriation for the deficiency in the appropriation for arrest of criminals inside the limits of the State for the thirty-fourth fiscal year.

Also, Assembly Bill No. 91—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-fourth fiscal year.

Also, Assembly Bill No. 92—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fourth fiscal year.

Also, Assembly Bill No. 95—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Stockton for the thirty-fourth fiscal year.

Also, Assembly Bill No. 96—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Napa for the thirty-fourth fiscal year.

Also, Assembly Bill No. 123—An Act to provide for the deficiency in the appropriation for the expenses of the Supreme Court, which may be incurred under section forty-seven of the Code of Civil Procedure, during the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 199—An Act making an appropriation for the deficiency in the appropriation for expenses of the Supreme Court under section forty-seven of the Code of Civil Procedure for the thirty-second fiscal year.

Also, Assembly Bill No. 202—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirtieth fiscal year.

Also, Assembly Bill No. 205—An Act making an appropriation for the deficiency in the appropriation for official advertising for the thirty-second fiscal year.

Also, Assembly Bill No. 206—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirty-first fiscal year.

Also, Assembly Bill No. 207—An Act making an appropriation for the deficiency in the appropriation for water, irrigation, purchase of hose, etc., for the Capitol grounds for the thirty-second fiscal year.

Also, Assembly Bill No. 227—An Act for an appropriation for the deficiency in the appropriation for traveling expenses of Railroad Commissioners for the thirty-fourth fiscal year.

Also, Assembly Bill No. 229—An Act making an appropriation for the deficiency in the appropriation for pay of stenographer to Railroad Commissioners for the thirty-fourth fiscal year.

Also, Assembly Bill No. 230—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-third fiscal year.

Also, Assembly Bill No. 231—An Act making an appropriation for the deficiency in the appropriation for education and care of deaf, dumb, and blind, for the thirty-third fiscal year.

Also, Assembly Bill No. 232—An Act making an appropriation for the deficiency in the appropriation for furnishing State Normal School, San José, for the thirty-third fiscal year.

Also, Assembly Bill No. 233—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in the State Library for the thirty-third fiscal year.

Also, Assembly Bill No. 234—An Act making an appropriation for the deficiency in the appropriation for rent, printing, and contingent expenses of Insurance Commissioner for the thirty-third fiscal year.

Also, Assembly Bill No. 235—An Act making an appropriation for the deficiency in the appropriation for stationery, fuel, lights, etc., State Capitol building for the thirty-third fiscal year.

Also, Assembly Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fifth fiscal year.

Also, Assembly Bill No 292—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-sixth fiscal year.

Also, Assembly Bill No. 201—An Act making an appropriation for the deficiency in the appropriation for the payment of rewards offered by the Governor for the thirty-first fiscal year.

Also, Assembly Bill No. 213—An Act making an appropriation to pay the deficiency in the appropriation for the fund for the costs and expenses of suits in which the State is a party in interest for the thirty-fifth fiscal year.

Also, Assembly Bill No. 131—An Act making an appropriation for the deficiency in the appropriation for support of the State Insane Asylum at Stockton for the thirty-fifth fiscal year.

Also, Assembly Bill No. 138—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fifth fiscal year.

Also, Assembly Bill No. 129—An Act making an appropriation for the deficiency in the appropriation for transportation of the insane for the thirty-fifth fiscal year.

Also, Assembly Bill No. 133—An Act making an appropriation for the deficiency in the appropriation for salary of Guardian of the Yosemite Valley for the thirty-fifth fiscal year.

Also, Assembly Bill No. 132—An Act making an appropriation for the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the thirty-fifth fiscal year.

Also, Assembly Bill No. 236—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at State Prison, San Quentin, for the thirty-third fiscal year.

Also, Assembly Bill No. 455—An Act making an appropriation for the deficiency in the appropriation for official advertisements for the thirty-sixth fiscal year.

Also, Assembly Bill No. 575—An Act to provide for the per diem of members of the Assembly for the twenty-sixth session of the Legislature.

And, also, this day, passed Senate Bill No. 22—An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the places of use.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

The following Senate amendment to Assembly Bill No. 92 was, by unanimous consent, concurred in, viz.: amend section one, by inserting, after the word "appropriation," on line seven, of page one, of the original bill, the words "for transportation."

By Mr. Ward of San Francisco:

WHEREAS, There is to be a new edition of the Codes of California before the meeting of the next Legislature, and the present Codes will be of no service in that event; be it

Resolved, That the Secretary of State is hereby authorized and directed to furnish each member of the Assembly with one set of the Codes, free of cost, and the resolution adopted on the twelfth day of January, 1885, requiring members of Assembly to return the same to the Secretary of State, be and is hereby rescinded.

Resolution adopted.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 137—An Act to add a new section to the Political Code, to be known as section three thousand and eighty-four, relating to certification of cause of death and granting burial permits for a deceased person.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Douglas, Edwards, Gregory, Hazard, Heath, Hollister, Hunt, Hussey, Johnson, Jones, Kalben, Laughlin, Long, Loud, Lovell, McDonald, McJunkin, Mears, Moffitt, Munday, Patterson, Pellet, Reeves, Roseberry, Russ, Walrath, Watson of Alameda, Ward of Butte, and Yule—46.

NOES—Mr. Ellison—1.

Title approved.

Senate Bill No. 190—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered and known as section three hundred and sixty-two, relating to certificates of incorporation.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Edwards, Hazard, Heath, Henley, Henry, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Laughlin, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Pellet, Porter, Reeves, Russ, Sullivan, Walrath, Ward of Butte, and Mr. Speaker—46.

NOES—Messrs. Douglas, Ellison, and Woodward—3.

Title approved.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. SPEAKER: Your special committee, to whom was referred Senate Bill No. 97—An Act to prevent the spreading of fruit and fruit tree pests and diseases, and to provide for their extirpation—with instructions to amend—have had the same under consideration, and report the same back, and recommend its passage, as amended.

DWIGHT HOLLISTER.

Mr. Hollister moved that the bill be referred to a select committee of one, with special instructions to amend, by striking out, in section one, line seven, the words "packages or baskets;" in line nine, the words "packages and baskets;" also, in section two, line eight, the words "fruit and;" in line nine, the words "or liable;" in lines sixteen and seventeen, all the words after the word "disinfected," in line sixteen; also, in section three, in lines eleven and twelve, the words "Inspector of Fruit Pests, or a Quarantine Guardian appointed by the," and all of section seven.

So ordered.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Mr. Hollister the select committee of one to amend Senate Bill No. 97, as recommended by the select committee of three.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 97, with special instructions to amend as ordered by the House—would respectfully report that the instructions of the House have been carried out.

DWIGHT HOLLISTER.

CALL OF THE HOUSE.

Mr. Carter of Contra Costa moved a call of the House.

So ordered.

Pending the roll call, Mr. Munday moved that further proceedings under the call of the House be dispensed with.

So ordered.

PASSAGE OF SENATE BILL No. 97.

The question then being on the passage of the bill, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Edwards, Franklin, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Kalben, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Pellet, Porter, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—56.

NOES—Mr. Colby—1.

Title approved.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 92—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as section three hundred and ninety, relating to parties to civil actions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Britt, Buhlert, Carter of Solano, Colby, Coleman, Cook, Culver, Daley, Davis, DeWitt, Dooling, Edwards, Franklin, Hazard, Henley, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McJunkin, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—51.

NOES—Mr. Douglas—1.

Title approved.

Senate Bill No. 317—An Act authorizing the Commissioners of any public park in this State, and especially the Park Commissioners of the Golden Gate Park, in San Francisco, to accept donations and bequests in aid of the improvement and embellishment of their respective parks, and to invest the funds derived therefrom.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Clark, Coleman, Cook, Culver, Daley, DeWitt, Dooling, Edwards, Firebaugh, Franklin, Hazard, Heath, Henley, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—53.

NOES—Messrs. Colby and Douglas—2.

Title approved.

Senate Bill No. 325—An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor.

Passed on file.

Senate Bill No. 154—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Solano, Clark, Coleman, Cook, Culver, Daley, Davis, DeWitt, Dooling, Douglas, Edwards, Gregory, Hazard, Heath, Henley, Henry, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Munday, Pellet,

Porter, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, and Mr. Speaker—55.
NOES—Messrs. Colby, Corcoran, Firebaugh, Franklin, and Hussey—5.

Title approved.

Senate Bill No. 106—An Act to amend section three thousand eight hundred and twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the manner of the collection of taxes, by the Assessor, on certain personal property.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Davis, DeWitt, Dooling, Douglas, Edwards, Firebaugh, Franklin, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hussey, Johnson, Jones, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Patterson, Pellet, Porter, Pyle, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Ward of Butte, Ward of San Francisco, Whitcomb, and Mr. Speaker—53.
NOES—Messrs. Colby and Loud—2.

Title approved.

INTRODUCTION OF A BILL.

Mr. Ward of San Francisco asked permission to introduce a bill, under the constitutional provision requiring the consent of two thirds of the members of the Assembly.

By unanimous consent, the required permission was granted.

On motion of Mr. Ward of San Francisco, the rules were suspended, and the bill ordered to be taken up for immediate consideration.

FIRST READING OF BILL.

Assembly Bill No. 576—An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature.

Read first time, and ordered to second reading.

MATTER OF URGENCY.

Mr. Ward of San Francisco moved that, in accordance with the provision of the Constitution, Assembly Bill No. 576—An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature—be made a matter of urgency, and that the provision of the Constitution requiring the reading of a bill on three separate days be suspended, and the bill read second and third times.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Franklin, Gregory, Heath, Henley, Henry, Hollister, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McJunkin, McLean, McMurray, Mears, Porter, Pyle, Russ, Sullivan, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Whitcomb, Woodward, and Mr. Speaker—55.
NOES—Messrs. Edwards, Firebaugh, Hazard, Loud, McGlashan, Moffitt, Morris, Pellet, Roseberry, and Ward of Butte—10.

Bill read second time.

Mr. Ward moved that the rules be suspended, and that the bill be

considered engrossed, and that it be read third time, and put upon its passage.

So ordered.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Douglas, Edwards, Gregory, Heath, Henry, Hollister, Hussey, Johnson, Jones, Kalben, Lafferty, Laughlin, Long, McDonald, McJunkin, Mears, Moffitt, Patterson, Porter, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—49.

NOES—Messrs. Firebaugh, Hazard, Henley, Loud, Lovell, May, McGlashan, Pellet, and Roseberry—9.

Title approved.

MOTION TO RECONSIDER.

Mr. McGlashan moved to reconsider the vote whereby the resolution by Mr. Ward of San Francisco, relative to Codes, was adopted.

The roll call was demanded by Messrs. McGlashan, Munday, and Swayne.

The House refused to reconsider the vote by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Coleman, Corcoran, Dooling, Edwards, Firebaugh, Gregory, Hazard, Heath, Jones, Laughlin, Loud, McGlashan, Munday, Patterson, Pellet, Porter, Pyle, Russ, Wood, and Woodward—29.

NOES—Messrs. Buhlert, Clark, Colby, Cook, Daley, Davis, Deveny, Douglas, Franklin, Goucher, Henley, Hollister, Hussey, Johnson, Kalben, Lafferty, Long, Lovell, May, McDonald, McJunkin, McLean, McMurray, Moffitt, Roseberry, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, and Mr. Speaker—33.

SECOND READING OF BILLS.

Senate Bill No. 247—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and nineteen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and twelve, one thousand six hundred and thirteen, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, and one thousand eight hundred and seventy-six of the Political Code, to add a new section, to be known as section one thousand five hundred and thirty-four of the Political Code, and to repeal sections one

thousand six hundred and eighteen and one thousand seven hundred and ninety-two of the Political Code, relating to education and public schools.

Read second time.

Mr. Munday moved to amend as follows: amend section three, line twenty-seven, by inserting, after the word "years," the following: "to be known as subdivision twelfth:"

Twelfth—To designate some educational monthly journal as the official organ of the Department of Public Instruction. One copy of journal so designated shall be furnished by the County Superintendent of Schools to the Clerk of each Board of District Trustees, to be by him placed in the district library. The County Superintendent of Schools shall draw his warrant semi-annually in favor of the publishers of such school journal, and charge the same to the Library Fund of the district; *provided*, that the sum so drawn shall in no case exceed one dollar and fifty cents per annum for each school district.

So ordered.

Mr. Munday moved to amend as follows: amend section four, by inserting, after line forty-six, page four, the following:

Fourteenth—He shall have power to call, biennially, a convention of County Superintendents of Schools to assemble at such time and place as he shall deem most convenient for the discussion of questions pertaining to the supervision and administration of the public schools, the laws relating thereto, and such other subjects affecting the welfare and interests of public schools as shall properly be brought before it. It is hereby made the duty of all County Superintendents to attend and take part in the proceedings of such convention when it is called. Should any County Superintendent of Schools be absent from said convention, without an excuse which shall be deemed satisfactory by the convention, or should the absenting Superintendent render no excuse, it shall be the duty of the Superintendent of Public Instruction to notify the Supervisors of said county thereof, and said Supervisors shall withhold the sum of fifty dollars from his salary. The actual and necessary expenses of said County Superintendents in going to, attending, and returning from said convention, shall be audited by the State Board of Examiners and paid out of the General Fund in the State Treasury.

So ordered.

Bill ordered engrossed, and to be read third time.

Assembly Bill No. 534—An Act relating to taxes paid to the Attorney-General of the State of California.

Read second time, ordered engrossed, and to be read third time.

Senate Concurrent Resolution No. 25—Relative to the law of July 27, 1861, and the joint and declaratory resolution of March 8, 1862, providing for the reimbursement to the States of all sums by them expended in defense of the United States.

Read and adopted.

Senate Concurrent Resolution No. 26—Relative to a proper adjustment of the accounts of the different States, Territories, and the District of Columbia with the United States, arising out of the proceedings under the direct tax law of August 5, 1861.

Read and adopted.

RECESS.

At five o'clock P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M. Speaker Parks in the chair.

Quorum present.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Ellison:

Resolved, That clerks of all Assembly committees, except Ways and Means, Engrossing, and Enrolling Committees, be and they are hereby discharged, and their compensation ceases from the date hereof. Dated March 5, 1885.

Mr. McDonald moved to amend, by inserting the words "March tenth," instead of "March fifth."

Lost.

The question then being upon the adoption of the resolution, the roll call was demanded by Messrs. McMurray, Daley, and Kalben.

It was so ordered, by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Gregory, Hazard, Heath, Henry, Hussey, Jordan, Loud, McGlashan, McJunkin, Moffitt, Pellet, Russ, Van Voorhies, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, and Woodward—36.

NOES—Messrs. Black, Britt, Daley, Hollister, Kalben, McDonald, McMurray, Mears, Walrath, Whitcomb, Yule, and Mr. Speaker—12.

By Mr. Colby:

Resolved, That the Secretary of State be and he is hereby authorized and directed to furnish the Chief Clerk and assistants, the Minute Clerk and assistant, Engrossing Clerk, and the Journal Clerk and assistants, each, with one set of the Codes of the State of California from the twenty extra sets remaining after the members are supplied.

So ordered.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Walrath:

Resolved by the Assembly, the Senate concurring, That this Legislature adjourn sine die on Monday, March 9, 1885, at twelve o'clock M.

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

So ordered.

SPECIAL FILE—SECOND READING OF BILLS.

Senate Bill No. 112—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and ninety-one, and one thousand one hundred and ninety-five of an Act of the Legislature of the State of California, entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add four new sections thereto, to be known, numbered, and designated as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three, all relating to liens of mechanics and others upon real property, and to carry out the mandate of section fifteen, of article twenty, of the Constitution.

Read second time.

Mr. Jordan moved to amend as follows: strike out, in line twenty-seven, section one thousand one hundred and eighty-three, the words "two hundred," and insert in lieu thereof the words "one thousand."

So ordered.

Also, insert after section three, the following:

SEC. 4. Section eleven hundred and ninety-four of the Code of Civil Procedure is hereby amended to read as follows:

Section 1194. In every case in which different liens are asserted against any property, the Court in the judgment must declare the rank of each lien or class of liens, which shall be in the following order, viz..

1. All persons performing manual labor in, on, or about the same.
2. Persons furnishing materials.
3. Sub-contractors.
4. Original contractors.

And the proceeds of the sale of the property must be applied to each lien or class of liens in the order of its rank; and whenever in the sale of the property subject to the lien there is a deficiency of proceeds, judgment may be docketed for the deficiency in like manner and with like effect as in actions for the foreclosure of mortgages.

So ordered.

Also, renumber sections four, five, six, seven, and eight, so as to read sections five, six, seven, eight, and nine, respectively.

So ordered.

Mr. Coleman moved that all amendments be sent to the Clerk's desk, and that the further consideration of the bill be postponed until the bill is printed with its amendments.

The roll call was demanded by Messrs. Coleman, Firebaugh, and Munday.

The motion was lost by the following vote:

AYES—Messrs. Almy, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Dooling, Ellison, Firebaugh, Gregory, Henry, Hollister, McDonald, Munday, and Van Voorhies —18.

NOES—Messrs. Banbury, Barnes, Barnett, Clark, Cook, Corcoran, Culver, Daley, Davis, Deveny, Franklin, French, Hazard, Heath, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Patterson, Pellet, Pyle, Russ, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—46.

Mr. Firebaugh moved to amend as follows: strike out all of section one after the word "agent," in line seventeen.

Lost.

Mr. Hazard moved to amend as follows: strike out, in section one, line twenty-seven, the words "two hundred," and insert in lieu thereof the words "five thousand."

Lost.

Mr. Firebaugh moved to amend as follows: strike out, in section one, line twenty-seven, the words "two hundred," and insert in lieu thereof the words "three thousand."

Lost.

Mr. Firebaugh moved to amend, by striking out all of section two.

Lost.

Mr. Hazard moved to amend section three, by striking out the same and inserting in lieu thereof, the following:

SEC 3. Section eleven hundred and eighty-four of the Code of Civil Procedure is hereby amended to read as follows

1184. Any person who, at the request of the owner of any lot, grades, fills in, or otherwise improves the same, or the street or road in front of or adjoining the same, has a lien upon such lot for his work done and materials furnished.

Lost.

Mr. Coleman moved to amend as follows: insert, in section one, line twelve, after the word "otherwise," the following words: "*provided*, that before the final payment is made all sub-contractors must meet and agree that upon the final payment the owner be relieved from such liens."

Lost.

Mr. Firebaugh moved to amend as follows: strike out of line nineteen, page four, the words "the whole contract price shall be payable in money."

Lost.

Mr. Hazard moved to amend as follows: amend section four, by striking the same out, and inserting in lieu thereof the following:

SEC. 6. Section one thousand one hundred and ninety-five of the Code of Civil Procedure is hereby amended to read as follows:

1195. Any number of persons claiming liens may join in the same action, and all persons not joining in the action as plaintiffs, whose liens are of record, shall be made parties defendants, and the complaint shall recite the filing of said claims and the amount claimed by each of said defendants respectively, and ask judgment for such defendants in such amount as may be due to each, and no other pleading shall be necessary to entitle each of such defendants to judgment in their behalf in such amount as may be shown by the proofs to be just; and all parties interested, whose liens are filed subsequent to the commencement of the action, and before judgment, shall be made parties defendants, unless the Court shall otherwise direct. Reasonable attorneys' fees shall be allowed as part of the costs for all services performed in connection therewith.

Lost.

Mr. Britt moved to amend as follows: strike out all of section two, from line twenty-two to line twenty-seven, both inclusive, and insert in lieu thereof, the words "no alteration of any such contract shall affect any lien acquired under the provisions of this chapter."

So ordered.

Mr. Firebaugh moved to amend as follows: amend, on page three, by striking out all of line three, after the number of the section, and all of line four, and all of line five, to and including the word "but," after the word "work" in said line five.

Lost.

Mr. Firebaugh moved to amend as follows: amend, by striking out of page four all of lines twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and all of line thirty-three, to and including the word "thereof."

Lost.

Mr. Black moved to amend as follows: add to section nine the words "nothing in this Act shall apply outside of incorporated towns or cities."

Lost.

Mr. Coleman moved that all amendments be sent to the desk, and that further consideration be postponed until to-morrow.

Lost.

Mr. Hazard moved to amend as follows: amend section five, by striking the same out, and inserting the following:

SEC. 9. A new section is hereby added to the Code of Civil Procedure, to be known as section one thousand two hundred and two, and shall read as follows:

Section 1202. If the contractor fails to perform his contract, and there has been labor performed or material furnished in any of the cases enumerated in this chapter, the laborer or material man having performed labor or furnished material for which he has not been paid, shall have the right to complete the work in accordance with the terms of the original contract, and shall be entitled to the compensation in said contract provided to be paid to the original contractor, and shall have the same lien, and may enforce the payment of the amount due under said contract in like manner as the original contractor.

Lost.

Mr. Firebaugh moved to amend as follows: strike out section three.

Lost.

Mr. Long moved the previous question.

So ordered.

The question being on ordering the bill read third time, it was so ordered.

Speaker pro tem. Weaver in the chair.

By unanimous consent of the House, Mr. Jordan offered the following amendment to the title of Senate Bill No. 112: add, in third line of title, after the words "ninety-one," the words "eleven hundred and ninety-four."

So ordered.

Senate Bill No. 182—An Act to amend sections eight and eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Mr. Carter of Contra Costa moved that the rules be suspended, and that the bill be considered without going into Committee of the Whole.

So ordered.

Mr. Carter of Contra Costa moved to amend as follows: after section one, add a new section, to be numbered section two, to read as follows:

SEC. 2. Section one of the above Act is amended to read as follows:

Section 1. The Counties of Alameda and San Francisco shall constitute Agricultural District No. 1. The County of Contra Costa shall constitute Agricultural District No. 14.

SEC. 3. This Act shall take effect immediately.

So ordered.

Mr. Walrath moved to reconsider the vote whereby the amendment offered by Mr. Carter of Contra Costa was adopted.

So ordered.

The question being on the adoption of the amendment, it was lost on division—ayes, 7; noes, 37.

Mr. Carter of Contra Costa moved to strike out the enacting clause.

Lost.

Ordered engrossed, and to be read third time.

Senate Bill No. 323—An Act to allow compensation to Sheriffs for conveying prisoners to State Prisons, and insane persons to the Insane Asylums.

Read second time, and ordered to be read third time.

Assembly Bill No. 288—An Act to amend section one thousand three hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1882, relating to letters of administration, to whom, and the order in which they are granted.

Read second time, ordered engrossed, and to be read third time.

RESOLUTIONS—(OUT OF ORDER).

By Mr. McGlashan:

WHEREAS, The clerk of the Committee on Rules and Regulations performed work from the time said committee was appointed, and previous to the time committees were reported to be entitled to the services of clerks; be it

Resolved, That the clerk of said committee be entitled to his per diem from January 7 to January 14, 1885; and be it

Resolved, That the Controller of State be and is hereby authorized and directed to draw his

warrant upon the Contingent Fund of the Assembly for the sum of thirty-five dollars, in favor of said clerk.

Mr. McGlashan moved that the rules be suspended, and the resolution adopted.

The roll call was demanded by Messrs. Carter of Contra Costa, McJunkin, and Loud.

The roll was called, and there was no quorum present, as shown by the following vote:

AYES—Messrs. Barnes, Britt, Corcoran, Davis, DeWitt, Franklin, Henry, Hollister, Hussey, Johnson, Kalben, Lafferty, Long, McGlashan, McMurray, Mears, Sullivan, Swayne, Walrath, Ward of San Francisco, and Weaver—20.

NOES—Messrs. Banbury, Buhlert, Carter of Contra Costa, Carter of Solano, Dooling, Edwards, Ellison, Firebaugh, Gregory, Hazard, Heath, Jordan, Loud, May, McDonald, McJunkin, Munday, Pellet, Porter, Pyle, Watson of Alameda, and Ward of Butte—20.

ADJOURNMENT.

At nine o'clock and forty-five minutes P. M., on motion of Mr. DeWitt, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 6, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

REPORTS OF STANDING COMMITTEES.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 174—Entitled "An Act to amend section three thousand four hundred and forty-two of an Act entitled 'An Act to establish a *Political Code*,' approved March 12, 1872, relating to preferred purchasers of public lands"—have had the same under consideration, and respectfully report the same back, without recommendation.

CULVER, Chairman.

ON AGRICULTURE, MINING, AND MECHANIC ARTS COLLEGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. SPEAKER: Your committee has visited the Agriculture, Mining, and Mechanic Arts Colleges of the University of California, has thoroughly inspected the condition, considered the wants and prospects of said colleges, and begs leave to report as follows:

The College of Agriculture, upon its educational side, is well organized. Its course of study is broad and thorough, and fits students for eminent usefulness in all departments of agriculture. The most serious drawback has been the absence of a permanent provision for instruction in botany. The work of the Agricultural Laboratory, and that of the Experimental Station, has been eminently successful. This branch of the work is now considered absolutely necessary for the wise development of the agricultural resources of the State. The Department of Viticulture alone has by its practical usefulness added greatly to the wealth of the State. A cellar and laboratory, with proper equipments, are needed by the Viticultural Department. The estimates of sums required for the practical work of the College of Agriculture, as they appear in the General Appropriation Bill, are not excessive.

The College of Mines is gradually adding to its equipment. Further additions will be needed to bring this college up to a standard worthy of the State of California. The course of study in this college is thorough, and embraces theoretical and practical mining, fitting graduates for effective work in all kinds of mining, as is seen by the fact that graduates are called to remunerative employment immediately upon leaving college. The college is held in high esteem by miners who are fortunate enough to secure the services of its graduates. Your committee is of the opinion that the college should be fostered by the State, until it shall become the leading mining college of the world. To this end, money should be freely appropriated whenever needed.

The College of Mechanic Arts is designed to produce mechanical engineers of a high order, and the success of its graduates are those who have made useful inventions, those who have taken command of mechanical shops, and those who have established manufactories of their own. The course of study is complete, and the workshops are well advanced in their equipments. The State cannot afford to pause in the work of developing this side of the University. Without going further into detail, your committee desires to report.

First—That the above named colleges are financially profitable to the State; that the results obtained justify the Legislature in looking upon all appropriations that may be made in the light of profitable investments.

Second—That it is the duty of the Government to educate its own experts, rather than to import them from other countries, and that the above colleges are doing this much needed work in a manner perfectly satisfactory to all who are familiar with their work.

In conclusion, your committee begs leave to quote the following extract from the second report of the Royal Commissioners on Technical Institution, issued by the British Parliament in 1884:

"Schools of Agriculture, Mines, and Mechanic Arts University of California, Berkeley, California." This is one of the most important schools of practical science in America. It is attached to the University, and its students enjoy the benefits of a splendid library of twenty thousand volumes, as also of a museum, with a rare collection of specimens of minerals and natural history objects. The tuition is entirely free for both sexes through the University course, giving ample opportunity for higher education to all classes in the community. The situation of the University is beautiful, and all the surroundings are conducive to study and refinement of character. The Technical School has for its chief aim the training of engineers and miners as well as agriculturists. Hydraulic engineering, which forms so large a part of mining qualifications in California, is prominent in the curriculum of the school. The operations in mining are illustrated by an operating plant, small but efficient. The workshop practice in mechanical engineering is given by the use of suitable tools. Drawing is taught through all the elementary stages, and finally, in the last year is applied directly to original designs and construction in civil hydraulic and mechanical engineering. The chemical laboratory for metallurgy and mineralogy are well appointed. The Professors of this school are men who have acquired eminence in America." Respectfully submitted.

VAN VOORHIES, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bills Nos. 251 and 283—beg leave to report the same back, without recommendation.

Also, Assembly Bill No. 416—and advise that it do not pass.

MAY, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 558—An Act to provide for the labeling of any barrel, cask, bottle, or other vessel containing fermented liquors, and to prevent the adulteration of the same—respectfully report back the same, as per instruction of the House.

R. C. CARTER, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1885.

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 524—An Act to appropriate the sum of one hundred and thirty millions of dollars for the benefit and relief of hydraulic miners who have been deprived of their rights and properties by the various Courts of the United States and the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass on the first day of April, 1885, without amendments.

SWAYNE, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1885.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Committee on State Prisons, on the occasion of their visit to Folsom—have had the same under consideration, and recommend that the following named members be entitled to mileage for forty-four miles: Messrs. Hollister, Firebaugh, Black, and Clerk Morse.

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of seventeen dollars and sixty cents, in favor of W. J. Almy, for above mileage, payable out of the Contingent Fund of the Assembly.

LAFFERTY, Chairman.

Resolution lost.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, CAL., March 5, 1885.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 23—An Act to authorize the State Treasurer to receive, and the several County Treasurers to pay in the State Treasury, in settlement of any sums required to be by them paid to the State Treasurer, any receipts for moneys paid to the State Treasurer, on deposit or otherwise.

Also, Assembly Bill No. 262—An Act to provide for the construction and maintenance of a public morgue in the City and County of San Francisco.

Also, Assembly Bill No. 12—An Act appropriating forty thousand dollars for the purpose of the establishment and management of the Industrial Home of Mechanical Trades for the Adult Blind of the State of California.

GEORGE STONEMAN, Governor.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 5, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 297—An Act to amend the Code in relation to the taxation of ferry-boats and all water crafts.

Also, Assembly Bill No. 572—An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State.

And have also amended and passed Assembly Bill No. 78—An Act supplementary to an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April 16, 1880.

And, Assembly Bill No. 93—An Act making an appropriation for the deficiency in the appropriation for purchase of Supreme Court Reports for the thirty-fourth fiscal year.

And respectfully ask your honorable body to concur therein.

Also, has concurred in Assembly amendments to Senate Bill No. 282.

And that the Senate herewith returns Assembly Bill No. 37, with the amendments attached to the original bill.

Also, that the Senate has concurred in the Assembly amendments to Senate Bill No. 47.

Also, have adopted and passed a substitute for Assembly Bill No. 168.

Also, have amended and passed Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code, to provide for the investment of the capital and accumulations of corporations organized under the laws of this State for the transaction of business in any kind of insurance—and respectfully ask your honorable body to concur therein.

And, Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure.

Also, have passed Assembly Bill No. 156—An Act to appropriate thirty-four thousand four hundred and nineteen dollars and forty cents.

Also, Assembly Bill No. 222—An Act to amend an Act, approved January 14, 1868, entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations," approved March 31, 1866.

Also, Assembly Bill No. 20—An Act to subject certain reclamation districts in the State to the provisions of the Political Code.

Also, Assembly Bill No. 576—An Act to provide for the Contingent Fund of the Assembly for the twenty-sixth session of the Legislature.

Also, have passed Assembly Bill No. 22—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds, and to pay certain claims out of the General Fund.

Also, Assembly Bill No. 510—An Act to appropriate money to pay the indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County.

Also, Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of the County Government Bill, authorizing the Board of Supervisors to allow certain deputies.

Also, Assembly Bill No. 290—An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art.

And, have refused to read a second time Assembly Bill No. 255, and Assembly Constitutional Amendment No. 2.

Assembly Bill No. 255—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Assembly Constitutional Amendment No. 2—Proposed amendment to section one, of article thirteen, of the Constitution, relative to taxation on growing crops, etc.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Senate amendments to Assembly Bills Nos. 458, 7, 78, 93, 168, and 216, were unanimously concurred in.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Hussey:

Resolved by the Assembly, the Senate concurring, That this Legislature do adjourn sine die on Saturday, March 7, 1885, at eleven o'clock P. M.

Mr. Carter of Contra Costa moved to lay the resolution on the table.

The roll call was demanded by Messrs. McGlashan, Hazard, and Hussey.

The resolution was laid on the table by the following vote:

AYES—Messrs. Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Corcoran, Daley, Deveny, DeWitt, Dooling, Douglas, Goucher, Gregory, Jones, Jordan, Kalben, Long, Loud, Lovell, May, McDonald, McLean, Mears, Moffitt, Patterson, Porter, Russ, Swayne, Walrath, Whitcomb, Yule, and Mr. Speaker—36.

NOES—Messrs. Allen, Banbury, Black, Cook, Edwards, Firebaugh, Hazard, Henley, Hollister, Hussey, Lafferty, Laughlin, McGlashan, McJunkin, Roseberry, Sullivan, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, and Wood—23.

Speaker pro tem. Weaver in the chair.

RECONSIDERATION.

Mr. Watson of Alameda moved to reconsider the vote whereby Senate Bill No. 120 was lost.

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

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Daley, Deveny, DeWitt, Douglas, Edwards, Firebaugh, Franklin, French, Goucher, Heath, Henry, Hunt, Hussey, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, McDonald, McJunkin, Moffitt, Munday, Pellet, Porter, Swayne, Van Voor-

hies, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, Yule, and Mr. Speaker—47.

NOES—Messrs. Colby, Coleman, Corcoran, Gregory, Hazard, May, McGlashan, Roseberry, Sullivan, Torrey, and Watson of El Dorado—11.

PASSAGE OF SENATE BILL No. 120.

The question then being upon the passage of Senate Bill No. 120, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Britt, Buhlert, Carter of Solano, Clark, Cook, Daley, Deveny, DeWitt, Douglas, Franklin, French, Goucher, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, McDonald, McGlashan, McJunkin, Moffitt, Munday, Pellet, Porter, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, and Yule—42.

NOES—Messrs. Colby, Coleman, Corcoran, Edwards, Firebaugh, Gregory, Hazard, Loud, May, Roseberry, Russ, Torrey, Watson of El Dorado, and Woodward—14.

Title approved.

MOTION.

Mr. McGlashan moved that the resolution pending when the House adjourned yesterday be taken up for consideration.

So ordered.

RESOLUTION.

WHEREAS, The clerk of the Committee on Rules and Regulations performed work from the time said committee was appointed, and previous to the time committees were reported to be entitled to the services of clerks; be it

Resolved, That the clerk of said committee be entitled to his per diem from January 7 to January 14, 1885, and be it

Resolved, That the Controller of State be and is hereby authorized and directed to draw his warrant upon the Contingent Fund of the Assembly for the sum of thirty-five dollars, in favor of said clerk.

Mr. Porter moved to amend as follows: amend by allowing all clerks of committees seven days' extra pay.

Lost.

The question then being upon the adoption of the resolution, the roll call was demanded by Messrs. Hazard, Allen, and Jordan.

The resolution was lost by the following vote:

AYES—Messrs. Almy, Black, Colby, Corcoran, Daley, Deveny, Franklin, French, Goucher, Hussey, Kalben, Lafferty, McDonald, McGlashan, McLean, Moffitt, Swayne, Walrath, Watson of El Dorado, and Weaver—20.

NOES—Messrs. Allen, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Culver, DeWitt, Dooling, Douglas, Edwards, Firebaugh, Gregory, Hazard, Henley, Henry, Jordan, Laughlin, Long, Loud, Lovell, May, McJunkin, Mears, Munday, Pellet, Porter, Roseberry, Torrey, Van Voorhies, Watson of Alameda, Wood, and Woodward—36.

SPECIAL FILE.

Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh fiscal year.

SENATE AMENDMENTS.

AMENDMENT NUMBER ONE.

Strike out, in section one, line eleven, the word "fifteen," and insert in lieu thereof the word "ten."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Allen, Banbury, Barnes, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henley, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, Pellet, Porter, Roseberry, Russ, Swayne, Walrath, Watson of Alameda, Ward of Butte, Weaver, Wood, and Woodward—44.
NOES—None.

AMENDMENT NUMBER TWO.

Strike out, in section one, line twelve, the words "twenty-one thousand five hundred," and insert in lieu thereof the words "fifteen thousand."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Britt, Carter of Contra Costa, Carter of Solano, Culver, Davis, Deveny, Dooling, Douglas, Firebaugh, Franklin, French, Gregory, Hazard, Henley, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, Munday, Pellet, Porter, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of Butte, Weaver, Wood, and Woodward—42.
NOES—None.

AMENDMENT NUMBER THREE.

Strike out, in section one, all of lines nineteen and twenty.

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Black, Britt, Carter of Contra Costa, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Henley, Hunt, Hussey, Jones, Jordan, Kalben, Long, Loud, Lovell, May, McGlashan, McJunkin, Munday, Patterson, Pellet, Porter, Roseberry, Russ, Watson of Alameda, Ward of Butte, Weaver, Wood, and Woodward—42.
NOES—None.

AMENDMENT NUMBER FOUR.

Strike out, in section one, line twenty-six, the words "thirty-seven thousand nine hundred and eight," and insert in lieu thereof the words "thirty-two thousand eight hundred."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Firebaugh, French, Goucher, Gregory, Heath, Hussey, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, Pellet, Roseberry, Russ, Sullivan, Watson of El Dorado, Ward of Butte, Weaver, Wood, Woodward, and Mr. Speaker—42.
NOES—None.

AMENDMENT NUMBER FIVE.

Strike out in section one, line forty, the words "one thousand," and insert in lieu thereof the words "seven hundred and fifty."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnett, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, French, Goucher, Gregory, Heath, Henley, Henry, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McJunkin, Munday, Patterson, Pellet, Porter, Roseberry, Russ, Sullivan, Torrey, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Wood, and Woodward—48.
NOES—None.

AMENDMENT NUMBER SIX.

Strike out, in section one, line ninety-nine, the word "two," and insert in lieu thereof the word "three."

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Allen, Banbury, Barnett, Black, Britt, Carter of Solano, Coleman, Cook, Corcoran, Culver, Davis, DeWitt, Dooling, Franklin, French, Gregory, Heath, Henley, Henry, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McJunkin, Mears, Munday, Pellet, Porter, Russ, Sullivan, Torrey, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Woodward, and Mr. Speaker—43.
NOES—Mr. McGlashan—1.

AMENDMENT NUMBER SEVEN.

Insert, in section one, after line one hundred and two, the following. "for expenses of encampment of National Guard, twenty thousand dollars, to be expended in one or two years as the Board of Location and Organization may direct."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Carter of Solano, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Firebaugh, French, Gregory, Heath, Hollister, Hussey, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, Mears, Munday, Pellet, Porter, Russ, Sullivan, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, and Woodward—47.
NOES—Messrs. Coleman, Dooling, and Henry—3.

AMENDMENT NUMBER EIGHT.

Strike out, in section one, lines one hundred and twenty-two, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-five, and one hundred and twenty-six, of the original bill, as amended in Assembly.

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Solano, Coleman, Cook, Corcoran, Culver, Davis, Dooling, Firebaugh, Franklin, French, Gregory, Heath, Henley, Hollister, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McLean, Munday, Pellet, Porter, Pyle, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—46.
NOES—Messrs. Loud and McDonald—2.

AMENDMENT NUMBER NINE.

Strike out, in section one, line one hundred and twenty-five, the word "four," and insert, in lieu thereof, the word "three."

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Black, Buhlert, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Davis, Dooling, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Heywood, Hollister, Hussey, Jones, Jordan, Kalben, Laughlin, Long, Loud, Lovell, May, McDonald, Mears, Munday, Pellet, Porter, Pyle, Russ, Sullivan, Swayne, Weaver, Whitcomb, Woodward, and Mr. Speaker—44.
NOES—None.

AMENDMENT NUMBER TEN.

Insert, in section one, after line one hundred and sixty-five, the following: "For repairing and improvement of the ground and walks on the east side of the State Capitol building, twenty-five hundred dollars, to be exempt from the provisions of section four of this Act."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Banbury, Barnes, Barnett, Black, Buhlert, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Davis, Firebaugh, Franklin, French, Gregory, Heath, Henley, Hollister, Hussey, Jones, Jordan, Laughlin, Long, Lovell, May, McDonald, Mears, Munday, Pellet, Porter, Pyle, Russ, Sullivan, Van Voorhies, Walrath, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—41.
NOES—None.

AMENDMENT NUMBER ELEVEN.

Insert, in section one, after the word "dollars," on line one hundred and ninety-eight, the words "to be exempt from the provisions of section four of this Act."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Barnett, Black, Carter of Solano, Clark, Coleman, Cook, Corcoran, Daley, Davis, Firebaugh, Franklin, French, Gregory, Heath, Henley, Henry, Hollister, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, Mears, Munday, Pellet, Porter, Pyle, Roseberry, Russ, Sullivan, Van Voorhies, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—45.

NOES—None.

AMENDMENT NUMBER TWELVE.

Insert, in section one, after line two hundred, the following: For repairing and building fences upon and around the grounds of the Asylum for the Deaf and Dumb and the Blind at Berkeley, five thousand dollars, to be exempt from the provisions of section four of this Act.

For the improvement of the grounds of the Deaf and Dumb and the Blind Asylum at Berkeley, five thousand dollars, to be exempt from the provisions of section four of this Act.

For the building of a barn, stable, and cow houses at the Deaf and Dumb and the Blind Asylum at Berkeley, five thousand dollars, to be exempt from the provisions of section four of this Act.

For fitting up a gymnasium at the Deaf and Dumb and the Blind Asylum at Berkeley, one thousand dollars, to be exempt from the provisions of section four of this Act.

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Clark, Cook, Corcoran, Davis, Deveny, Douglas, Firebaugh, Franklin, Gregory, Heath, Henry, Hollister, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McLean, Mears, Munday, Pellet, Porter, Pyle, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, and Woodward—46.

NOES—Messrs. Roseberry, Watson of El Dorado, and Mr. Speaker—3.

Mr. Munday moved to reconsider the vote whereby Amendment No. 12 was concurred in.

Lost.

AMENDMENT NUMBER THIRTEEN.

Insert, in section one, after the word "dollars," on line two hundred, the words "to be exempt from the provisions of section four of this Act."

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs Allen, Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Clark, Cook, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Firebaugh, Franklin, French, Gregory, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Long, Loud, Lovell, May, McDonald, McLean, Munday, Pellet, Pyle, Russ, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—46.

NOES—None.

AMENDMENT NUMBER FOURTEEN.

Insert, in section —, after line two hundred and fourteen, the following. "For heating apparatus and repairing of the old building of the Insane Asylum at Stockton, twenty-five thousand dollars, to be exempt from the provisions of section four of this Act."

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Firebaugh, Gregory, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin,

Long, Loud, Lovell, May, Mears, Munday, Patterson, Pellet, Porter, Pyle, Russ, Sullivan, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Woodward, and Mr. Speaker—48.

NOES—Mr. Wood—1.

AMENDMENT NUMBER FIFTEEN.

Strike out of section one, original bill, lines two hundred and seven and two hundred and eight.

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Firebaugh, Franklin, Gregory, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Long, Loud, Lovell, May, McJunkin, Moffitt, Munday, Patterson, Pellet, Porter, Pyle, Roseberry, Russ, Sullivan, Walrath, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—47.

NOES—None.

AMENDMENT NUMBER SIXTEEN.

Strike out of section one, line two hundred and twenty-four, the words "sixty," and insert in lieu thereof the words "fifty-nine."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McJunkin, McLean, Moffitt, Munday, Pellet, Porter, Pyle, Russ, Sullivan, Walrath, Watson of El Dorado, Ward of San Francisco, Weaver, Woodward, and Mr. Speaker—51.

NOES—None.

AMENDMENT NUMBER SEVENTEEN.

Insert, in section one, after line two hundred and twenty-seven, the following: "For the building of an iron roof over the cell building of the branch State Prison at Folsom, twenty-seven thousand dollars."

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Almy, Banbury, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Douglas, Firebaugh, French, Goucher, Gregory, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Long, Loud, Lovell, May, McJunkin, McLean, Mears, Moffitt, Pyle, Roseberry, Russ, Sullivan, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—48.

NOES—None.

AMENDMENT NUMBER EIGHTEEN.

Strike out, on section one, on lines two hundred and fifty-eight and two hundred and fifty-nine, the words "one thousand five hundred," and insert in lieu thereof the words "one thousand."

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Douglas, Firebaugh, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McJunkin, Mears, Munday, Pyle, Russ, Sullivan, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—47.

NOES—None.

AMENDMENT NUMBER NINETEEN.

Insert, in section one, after line two hundred and ninety-two, the following: "For aid of District Agricultural Society No. 17, three thousand dollars."

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Lovell, May, McJunkin, Moffitt, Pyle, Russ, Sullivan, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, and Woodward—52.

NOES—None.

AMENDMENT NUMBER TWENTY.

Strike out of section one, of original bill, lines two hundred and seventy-seven, two hundred and seventy-eight, and two hundred and seventy-nine.

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Corcoran, Culver, Daley, Davis, DeWitt, Dooling, Douglas, Firebaugh, Goucher, Heath, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McJunkin, Moffitt, Munday, Pellet, Pyle, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—49.

NOES—None.

AMENDMENT NUMBER TWENTY-ONE.

Insert, in section one, after the word "dollars," on line two hundred and ninety-five, the words "to be exempt from the provisions of section four of this Act."

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Firebaugh, Franklin, Gregory, Hazard, Heath, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McJunkin, Moffitt, Munday, Porter, Pyle, Roseberry, Russ, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—52.

NOES—None.

AMENDMENT NUMBER TWENTY-TWO.

Insert, in section one, after line three hundred and thirteen, the following: "For the construction of a main sewer from Shattuck Avenue to the Bay of San Francisco, in the Town of Berkeley, for the benefit and use of the State University and the Deaf and the Dumb and the Blind Asylum at Berkeley, the sum of fifteen thousand dollars, to be exempt from the provisions of section four of this Act, and to be paid to the Town Treasurer of the Town of Berkeley, upon the completion of said sewer.

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henry, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McJunkin, Porter, Pyle, Russ, Sullivan, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—51.

NOES—Messrs. Barnett, Munday, and Wood—3.

AMENDMENT NUMBER TWENTY-THREE.

Insert, in section one, after line three hundred and twenty, the following:

"For two years' salary of Penology Commission, thirty-two hundred dollars."

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Almy, Banbury, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Daley, Davis, Deveny, Dooling, Douglas, Firebaugh, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Lovell, May, McJunkin, Mears, Moffitt, Munday, Pellet, Porter, Pyle, Russ, Torrey, Van Voorhies, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—45.

NOES—Messrs. Roseberry and Wood—2.

AMENDMENT NUMBER TWENTY-FOUR.

Insert, in section three, after the word "law," on line twelve, the following: and, *provided further*, that all officers or persons having money in their possession belonging to the State, shall pay the same into the State Treasury within ninety days after the passage of this Act, and none of said money shall be drawn from the Treasury except in the manner provided by law.

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Black, Britt, Carter of Contra Costa, Carter of Solano, Clark, Colby, Culver, Daley, Davis, Deveny, Douglas, Firebaugh, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McJunkin, McLean, Mears, Moffitt, Pellet, Porter, Reeves, Roseberry, Russ, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Woodward, and Mr. Speaker—49.

NOES—Messrs. Corcoran, Dooling, and Munday—3.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Assembly Bills Nos. 534 and 288.

DEVENY, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 5, 1885.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, amended and passed Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, March 6, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 327—An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain public waterworks.

Also, Assembly Bill No 573—An Act to provide for the submission to the qualified electors of the State, for their approval, the amendment or amendments to the Constitution of the State of California, proposed by the Legislature thereof at its twenty-sixth session.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 89 was taken up, and the following Senate amendments read, viz.:

AMENDMENT NUMBER ELEVEN.

Amend section one, by inserting after the word "of," the words "idiotic and."

Concurrence refused.

Mr. McGlashan moved to reconsider the vote whereby the amendment was refused concurrence.

Roll call demanded by Messrs. McGlashan, Douglas, and McJunkin. The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Banbury, Culver, Daley, Douglas, Kalben, McDonald, McGlashan, McJunkin, Moffitt, Porter, Sullivan, and Torrey—12.

NOES—Messrs. Almy, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Davis, Deveny, Dooling, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Long, Loud, Lovell, May, Mears, Munday, Pellet, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—38.

AMENDMENT NUMBER TWO.

Amend section five, by striking out, on line two, of printed bill, the word "twelve," and insert "nine," also, strike out word "six," on line ten, and insert the word "nine."

Concurred in.

AMENDMENT NUMBER THREE.

Amend section six, of printed bill, by adding after word "Home," the words "*provided*, that no investment of such proceeds shall be made in land or buildings without the recommendation and approval of the Resident Physician of the Napa Insane Asylum and the Medical Superintendent of the Stockton Insane Asylum."

Mr. May moved to amend the amendment, by striking out the word "and," after "Asylum," and insert the word "or."

Roll call demanded by Messrs. May, Hunt, and Firebaugh.

The roll was called, and the amendment of Mr. May was carried by the following vote:

AYES—Messrs. Allen, Almy, Barnes, Carter of Contra Costa, Carter of Solano, Clark, Cook, Deveny, Firebaugh, Franklin, Goucher, Heath, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McMurray, Pellet, Pyle, Russ, Van Voorhies, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—32.

NOES—Messrs. Barnett, Britt, Buhlert, Colby, Culver, Daley, DeWitt, Dooling, Gregory, Hazard, Henry, Kalben, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Porter, Swayne, Torrey, and Ward of Butte—22.

The amendment, as amended, was concurred in.

AMENDMENT NUMBER FOUR.

Amend section eight, line one, by inserting after the word "all," the word "idiotic;" also, strike out, in line two, the words "excepting those incapable of improvement."

The House refused to concur in the amendment.

AMENDMENT NUMBER FIVE

Amend section eleven, line one, by inserting, after the word "such," the word "care."

Concurred in.

AMENDMENT NUMBER SIX.

Amend section twelve, line twelve, by striking out the word "Vallejo," and inserting in lieu thereof the words "the county and nearest the place where the Home shall be located."

Concurred in.

AMENDMENT NUMBER SEVEN.

Amend section sixteen, line one, by striking out the word "money," and the words "down from the State Treasury," and inserting in lieu thereof the word "bill" and the word "paid."

Concurred in.

AMENDMENT NUMBER EIGHT.

Amend section eighteen, lines two and three, by striking out the words "at a sum not exceeding three hundred dollars per annum."

Concurred in.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled:

Assembly Bill No. 350—Entitled "An Act to authorize the construction and leasing of a hotel in Yosemite Valley, and to appropriate money therefor."

Also, Assembly Bills Nos. 3 and 4—Appropriating money to pay Charles Crocker for money loaned.

Also, Assembly Bills Nos. 96, 167, 90, 77, 76, 291, 98, 97, 95, 91, 455, 235, 100 and 161—Appropriating money to pay deficiencies in the thirty-third, thirty-fourth, thirty-fifth, and thirty-sixth fiscal years.

Also, Assembly Bills Nos. 236, 346, 227, 102, 292, 92, and 138—Appropriating moneys to pay deficiencies created in the thirty-third, thirty-fourth, thirty-fifth, and thirty-sixth fiscal years.

And the same were, at twelve o'clock and ten minutes P. M., March 6, 1885, presented to the Governor for his approval.

DALEY, Chairman.

RECESS.

At twelve o'clock and forty-five minutes P. M., the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker Parks in the chair.
Quorum present.

CONSIDERATION OF MESSAGES FROM THE SENATE—(RESUMED).

Senate Bill No. 327 read first time, ordered to second reading, and ordered placed on the special file.

RESOLUTION—(OUT OF ORDER).

By Mr. McJunkin:

Resolved, That hereafter the Assembly shall consider all matters upon the special file, or which may hereafter be ordered upon the same; *provided*, that any member of the Assembly may, with consent of the House, call for any matter upon the general file as it now appears—and the Printer is hereby directed to dispense with the further printing of the general file

So ordered.

Mr. Jordan moved to place on the special file all bills ordered to be read third time.

So ordered.

REPORT OF STANDING COMMITTEE.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1885.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bills Nos. 63 and 314—respectfully report the same back, as directed by the House.

YULE, Chairman.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 325—An Act to provide for the construction of two infirmaries at the Napa State Asylum for the Insane, and making an appropriation therefor.

Passed on the file.

Senate Bill No. 68—An Act to amend sections three hundred and fifty and three hundred and fifty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to counterfeited trademarks.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Hollister, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Munday, Pellet, Porter, Pyle, Roseberry, Russ, Torrey, Walrath, Watson of El Dorado, Watson of Butte, Whitcomb, Wood, Woodward, and Mr. Speaker—51.

NOES—None.

Title approved.

Senate Bill No. 119—An Act to provide for analyzing the minerals, mineral waters, and other liquids, and the medicinal plants of the State of California, and of foods and drugs, to prevent the adulteration of the same.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Davis, Deveny, Edwards, Ellison, Firebaugh, Franklin, Gregory, Hazard, Heath, Henley, Hollister, Hunt, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Pellet, Porter, Pyle, Russ, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—54.

NOES—None.

Title approved.

Senate Bill No. 90—An Act to legalize acknowledgments of certificates in writing, required by section two of an Act entitled "An Act to provide for the formation of chambers of commerce, boards of trade, mechanics' institutes, and other kindred protective associations," approved March 31, 1866, heretofore made or taken, and to legalize all certificates heretofore made, signed, and acknowledged, and filed under section two of said Act.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, Edwards, Ellison, Firebaugh, Franklin, Gregory, Hazard, Heath, Henley, Hunt, Jones, Jordan, Kalben, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Pellet, Porter, Pyle, Roseberry, Russ, Torrey, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, and Mr. Speaker—53.

NOES—None.

Title approved.

Senate Bill No. 285—An Act to amend section two thousand six

hundred and forty-two of the Political Code, relating to roads and highways.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Solano, Clark, Cook, Corcoran, Culver, Daley, Davis, Deveny, Edwards, Hazard, Heath, Henley, Hollister, Hunt, Johnson, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Pellet, Porter, Pyle, Russ, Swayne, Torrey, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Woodward, and Mr. Speaker—49.

NOES—Messrs. Carter of Contra Costa, Colby, DeWitt, Ellison, Firebaugh, Gregory, Roseberry, and Van Voorhies—8

Title approved.

Senate Bill No. 30—An Act to amend section one thousand one hundred and seventy-two of the Penal Code, and to provide for exceptions in criminal cases.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Culver, Davis, Deveny, Edwards, Ellison, Firebaugh, Franklin, Gregory, Hazard, Heath, Henley, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, Mears, Morris, Pellet, Porter, Pyle, Russ, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, and Mr. Speaker—48.

NOES—None.

Title approved.

RECONSIDERATION.

Mr. May moved to reconsider the vote whereby Senate Bill No. 108 was lost.

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

AYES—Messrs. Banbury, Britt, Buhlert, Carter of Contra Costa, Clark, Cook, Daley, Davis, Deveny, Ellison, Franklin, Goucher, Heath, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McJunkin, McMurray, Mears, Morris, Munday, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Walrath, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—46.

NOES—Messrs. Barnes, Carter of Solano, Colby, Culver, Dooling, Douglas, Hazard, McGlashan, McLean, and Van Voorhies—10.

PASSAGE OF SENATE BILL No. 108.

The question then being on the passage of the bill, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Britt, Buhlert, Carter of Solano, Clark, Coleman, Culver, Davis, Deveny, Ellison, Franklin, Goucher, Heath, Henry, Hollister, Hunt, Hussey, Jones, Lafferty, Laughlin, Long, Loud, May, McDonald, McJunkin, McMurray, Mears, Morris, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—44.

NOES—Messrs. Barnes, Cook, Dooling, Douglas, Gregory, Henley, Jordan, Lovell, McGlashan, and Moffitt—10.

Title approved.

Senate Bill No. 79—An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities.

Read third time.

CALL OF THE HOUSE.

Mr. Jordan moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Edwards, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Carter of Contra Costa moved that further proceedings under the call of the House be dispensed with.

So ordered.

PASSAGE OF SENATE BILL No. 79.

The question then being on the passage of Senate Bill No. 79, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Clark, Coleman, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Firebaugh, Franklin, Goucher, Gregory, Heath, Henley, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Whitcomb, Woodward, Yule, and Mr. Speaker—57.

NOES—Messrs. Carter of Solano and Colby—2.

MATTER OF URGENCY.

Mr. Heath moved that, in accordance with the provisions of the Constitution, Senate Bill No. 327—An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain public waterworks—be made a matter of urgency, and that the provisions of the Constitution requiring the reading of a bill on three separate days, be suspended, and that the bill be put upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Culver, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—68.

NOES—Mr. Colby—1.

Bill read second time.

Mr. Heath moved that the rules be suspended, and that the bill be read third time, and put upon its passage.

So ordered.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Culver, Daley, Davis, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Yule, and Mr. Speaker—65.
NOES—Mr. Colby—1.

Title approved.

MOTION.

Mr. Munday moved that Senate Bill No. 22 be taken up for consideration.

FIRST READING OF BILL.

Senate Bill No. 22—An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town, therein, and to secure the rights of way for the conveyance of such water to the places of use.

Read first time, ordered to second reading, and ordered on special file.

MOTION.

Mr. Swayne moved that Assembly Bill No. 424 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 424—An Act to provide for the payment of the claim of Colonel W. B. Burtis, for special services performed by him as Second Lieutenant, Company "F," Second Infantry Regiment, Second Brigade, N. G. C., pursuant to Special Orders No. 26, series 1880, issued from General Headquarters.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Banbury, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Douglas, Ellison, Firebaugh, Franklin, French, Gregory, Hollister, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Lovell, McDonald, McMurray, Mears, Moffitt, Morris, Patterson, Porter, Pyle, Reeves, Sullivan, Swayne, Walrath, Watson of Alameda, Ward of San Francisco, Wood, and Mr. Speaker—46.
NOES—Messrs. Colby, Henley, Long, McGlashan, McLean, Munday, Roseberry, Russ, Torrey, and Ward of Butte—10.

Senate Bill No. 134—An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Passed on file.

Senate Bill No. 247—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and nineteen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and forty-nine, one thousand five hundred and sixty,

one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-eight, one thousand five hundred and ninety-three, one thousand six hundred and twelve, one thousand six hundred and thirteen, one thousand six hundred and seventeen, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and ninety-nine, one thousand seven hundred and one, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-three, one thousand eight hundred and nineteen, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, and one thousand eight hundred and seventy-six of the Political Code, to add a new section, to be known as section one thousand five hundred and thirty-four of the Political Code, and to repeal sections one thousand six hundred and eighteen and one thousand seven hundred and ninety-two of the Political Code, relating to education and public schools.

Read third time.

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

AYES—Messrs. Allen, Almy, Barnett, Black, Britt, Buhlert, Clark, Cook, Davis, Goucher, Henry, Hunt, Hussey, Jordan, McGlashan, McJunkin, Mears, Moffitt, Morris, Munday, Patterson, Pyle, and Weaver—22.

NOES—Messrs. Ashe, Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Corcoran, Edwards, Ellison, Firebaugh, Gregory, Hazard, Henley, Laughlin, Long, Loud, McLean, Pellet, Porter, Reeves, Roseberry, Ruiss, Van Voorhies, Walrath, Ward of Butte, Whitcomb, Wood, Woodward, and Mr. Speaker—30.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Hussey:

Resolved, That the Committee on Attachés and Employés retain their clerk until the House adjourns, as there are at present several resolutions before the committee to be acted upon.

Lost.

By Mr. Goucher:

WHEREAS, The committee appointed to investigate the charges against J. W. McCarthy has not yet finished its labors, and will be greatly inconvenienced if compelled to prosecute its work without its clerk; and whereas, the Assembly, on March 5, 1885, adopted a resolution discharging all committee clerks except those of the Committees on Engrossment, Enrollment, and Ways and Means; therefore, be it

Resolved, That Ed. A. Clough be and he is hereby reinstated as clerk of said committee, to serve till the close of the investigation, or till such time as the Chairman of said committee shall report to the Assembly that said clerk's services are no longer required.

Lost.

RECONSIDERATION.

Mr. Jones moved to reconsider the vote whereby Senate Bill No. 71 was lost.

CALL OF THE HOUSE.

Mr. McJunkin moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. Walrath moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question then being on the motion to reconsider, the roll was called, and the vote was ordered reconsidered by the following vote:

AYES—Messrs. Allen, Banbury, Barnes, Barnett, Black, Britt, Carter of Solano, Clark, Coleman, Cook, Corcoran, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Jones, Jordan, Kalben, Lafferty, Long, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—61.

NOES—Messrs. Almy, Buhlert, Carter of Contra Costa, Colby, Culver, Firebaugh, Hunt, Hussey, Laughlin, Loud, Lovell, May, Pellet, and Reeves—14.

PASSAGE OF SENATE BILL No. 71.

The question then being on the passage of Senate Bill No. 71, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Solano, Clark, Coleman, Cook, Corcoran, Daley, Davis, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Johnson, Jones, Jordan, Kalben, Lafferty, McDonald, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pyle, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, and Wood—57.

NOES—Messrs. Almy, Carter of Contra Costa, Colby, Culver, Deveny, Hunt, Laughlin, Long, Loud, Lovell, May, McGlashan, Pellet, Reeves, Woodward, and Mr. Speaker—17.

NOTICE OF RECONSIDERATION.

Mr. Weaver gave notice that he would move to reconsider the vote whereby Senate Bill No. 247 was lost.

MOTION.

Mr. Long moved that Senate Bill No. 323 be taken up for consideration.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 323—An Act to allow compensation to Sheriffs for conveying prisoners to State Prisons, and insane persons to the Insane Asylums.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Banbury, Barnett, Britt, Buhlert, Carter of Contra Costa, Clark, Coleman, Cook, Culver, Daley, Davis, Deveny, Franklin, French, Gregory, Heath, Henry, Hollister, Hunt, Hussey, Jones, Kalben, Lafferty, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean,

Mears, Moffitt, Morris, Munday, Patterson, Porter, Pyle, Reeves, Roseberry, Sullivan, Swayne, Walrath, Watson of El Dorado, Whitcomb, Wood, and Yule—46.

Noes—Messrs. Allen, Barnes, Black, Carter of Solano, Colby, Corcoran, Dooling, Douglas, Edwards, Ellison, Firebaugh, Hazard, Henley, Heywood, Jordan, Laughlin, Loud, Pellet, Russ, Torrey, Van Voorhies, Watson of Alameda, Ward of Butte, Weaver, Woodward, and Mr. Speaker—27.

Title approved.

NOTICE OF RECONSIDERATION.

Mr. McGlashan gave notice of reconsideration of the vote whereby Senate Bill No. 323 was passed.

Senate Bill No. 182—An Act to amend sections eight and eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880.

Read third time.

The roll was called, and the bill passed by the following vote:

Ayes—Messrs. Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Clark, Colby, Coleman, Cook, Daley, Davis, Deveny, Douglas, Edwards, Ellison, Franklin, French, Hazard, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Porter, Pyle, Roseberry, Sullivan, Swayne, Van Voorhies, Walrath, Watson of El Dorado, Weaver, Whitcomb, Wood, Yule, and Mr. Speaker—56.

Noes—Messrs. Allen, Almy, Carter of Solano, Corcoran, Culver, DeWitt, Dooling, Gregory, Henley, Patterson, Torrey, Ward of Butte, and Woodward—14.

Title approved.

Senate Bill No. 112—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and ninety-one, and one thousand one hundred and ninety-five of an Act of the Legislature of the State of California, entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add four new sections thereto, to be known, numbered, and designated as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three, all relating to liens of mechanics and others upon real property, and to carry out the mandate of section fifteen, of article twenty, of the Constitution.

Read third time.

The roll was called, and the bill passed by the following vote:

Ayes—Messrs. Almy, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Clark, Cook, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Edwards, Franklin, French, Gregory, Hazard, Heywood, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Whitcomb, Woodward, and Mr. Speaker—51.

Noes—Messrs. Allen, Britt, Carter of Solano, Colby, DeWitt, Dooling, Ellison, Firebaugh, Munday, Van Voorhies, and Ward of Butte—11.

Title approved.

Assembly Bill No. 534—An Act relating to taxes paid to the Attorney-General of the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Culver, Deveny, Douglas, Edwards, Ellison, Firebaugh, French, Hazard, Heath, Henry, Heywood, Jones, Jordan, Laughlin, Loud, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—50.

NOES—Messrs. Black, Britt, Coleman, Corcoran, DeWitt, Dooling, Henley, Moffitt, and Munday—9.

Title approved.

Assembly Bill No. 288—An Act to amend section one thousand three hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1882, relating to letters of administration, to whom, and the order in which they are granted.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Daley, Deveny, Dooling, Douglas, Edwards, Firebaugh, Franklin, French, Hazard, Heath, Henley, Hunt, Hussey, Jordan, Laughlin, Long, Loud, May, McDonald, McGlashan, McJunkin, McMurray, Mears, Morris, Munday, Porter, Pyle, Russ, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—51.

NOES—None.

Title approved.

MOTION.

Mr. Jordan moved to request the Senate to retransmit Senate Bill No. 79 to the Assembly, as there was a message from the Senate notifying the Assembly of refusal of the Senate to concur in Assembly amendments.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled:

Assembly Bill No. 562—Entitled "An Act to provide for grading N Street, between Tenth and Fifteenth Streets, in the City of Sacramento, and provide for the payment of the same.

Also, Assembly Bill No. 213—Making an appropriation to pay the expenses of a suit of the State against C. D. Bunker, Commissioner of Immigration.

Also, Assembly Bills Nos. 232, 125, and 129—Making appropriations for deficiencies in appropriations for the thirty-third and thirty-fifth fiscal years.

And the same were, at four o'clock and fifteen minutes P. M., March 6, 1885, presented to the Governor for his approval.

Assembly Bill No. 575—Entitled "An Act to provide for the per diem of members of the twenty-sixth session of the Legislature."

Also, Assembly Bills Nos. 229, 231, 206, 207, 202, 205, 124, 199 and 131—Making appropriations for deficiencies in appropriations for the thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, and thirty-fifth fiscal years.

And the same were, at three o'clock and thirty minutes P. M., March 6, 1885, presented to the Governor for his approval.

Assembly Bills Nos. 201, 234, 133, 132, 99, 230, 101, 103 and 233—Making appropriations for deficiencies in the appropriations for the thirty-first, thirty-third, thirty-fourth, and thirty-fifth fiscal years.

And the same were, at three o'clock and fifteen minutes P. M., March 6, 1885, presented to the Governor for his approval.

Assembly Bill No. 290—Entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance, within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art."

And the same was, at four o'clock and ten minutes P. M., March 6, 1885, presented to the Governor for his approval.

DALEY, Chairman.

SECOND READING OF BILLS.

Senate Bill No. 69—An Act to amend sections three thousand one hundred and ninety-seven and three thousand one hundred and ninety-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to trademarks.

Read second time, and ordered to be read third time.

Senate Bill No. 174—An Act to amend section three thousand four hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preferred purchasers of public lands.

Read second time, and ordered to be read third time.

MOTION.

Mr. Loud moved that Assembly Bill No. 120 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 120—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section two thousand five hundred and fifty-four, relating to the collection of wharfage on merchandise by the Board of State Harbor Commissioners.

Read third time.

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

AYES—Messrs. Almy, Barnes, Carter of Solano, Firebaugh, Heath, Heywood, Jordan, Laughlin, Loud, May, McGlashan, Patterson, Reeves, Watson of Alameda, Ward of Butte, Wood, Woodward, and Mr. Speaker—18.

NOES—Messrs. Banbury, Buhlert, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Franklin, French, Gregory, Henley, Henry, Hunt, Hussey, Jones, Kalben, Lafferty, Long, McDonald, McJunkin, McLean, McMurray, Mears, Morris, Munday, Porter, Pyle, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of El Dorado, Ward of San Francisco, and Whitcomb—40.

NOTICE OF RECONSIDERATION.

Mr. Culver gave notice of reconsideration of the vote whereby Assembly Bill No. 120 was lost.

MOTION.

Mr. Jordan moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 6, 1885.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 251—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and sixty-two thereof, relative to the powers of the Boards of Trustees of cities of the sixth class.

And have this day concurred in amendment to section thirty-four, part three, of Senate Bill No. 79, as follows, viz.: strike out subdivision ten thereof.

Also, in amendment to part two as follows, viz. strike out the word "receiving," wherever it occurs in conjunction with the word "sewer" therein; and have refused to concur in the adoption of a new section thereto, to read as follows, viz..

SEC 38. This Act shall not apply to cities or towns now incorporated under "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

Also, the following:

SENATE CHAMBER, SACRAMENTO, March 6, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, in compliance with the request of your honorable body, herewith returns Senate Bill No. 79, with amendments attached thereto, upon which action has been had, as reported in a previous message.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

Also, the following:

SENATE CHAMBER, SACRAMENTO, March 6, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, amended and passed Assembly Bill No. 268—An Act to amend section one thousand six hundred and sixty-two of the Political Code, relating to public schools—and respectfully ask your honorable body to concur in said amendments.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 251—Read first time, ordered to second reading, and to be placed on special file.

The Senate having refused to concur in Assembly amendment to Senate Bill No. 79, to wit: "Section 38. This Act shall not apply to cities or towns now incorporated under an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883"—Mr. Jordan moved to recede from the Assembly amendment.

MOTIONS.

Mr. Munday moved to extend the hour of recess for one half hour.

So ordered.

At five o'clock and fifteen minutes P. M., Mr. Van Voorhies moved to adjourn.

Lost.

MOTION TO RECEDE.

The question being on the motion of Mr. Jordan to recede, the roll was called, and the motion was carried by the following vote:

AYES—Messrs. Allen, Barnes, Buhlert, Carter of Contra Costa, Cook, Corcoran, Culver, Davis, Deveny, Edwards, Firebaugh, French, Heath, Henley, Heywood, Jones, Jordan, Lafferty, Long, Loud, Lovell, McGlashan, McJunkin, McLean, Morris, Patterson, Pellet, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Watson of Alameda, Wood, Woodward, and Mr. Speaker—37.

NOES—Messrs. Almy, Banbury, Barnett, Black, Carter of Solano, Clark, DeWitt, Dooling, Douglas, Franklin, Gregory, Hollister, Hussey, Johnson, Laughlin, May, McMurray, Munday, Van Voorhies, Watson of El Dorado, Ward of Butte, Ward of San Francisco, and Whitcomb—26.

NOTICE OF RECONSIDERATION.

Mr. Allen gave notice that he would move to reconsider the vote whereby the House receded from its amendment to Senate Bill No. 79.

CONSIDERATION OF SENATE MESSAGES—(RESUMED).

Assembly Bill No. 268 was taken up, and the following amendments were concurred in:

AMENDMENT NUMBER ONE.

Amend section one, by striking out the words and figure "Section 1," and insert in lieu thereof the following: Section 1. Section one thousand six hundred and sixty-two of the Political Code is hereby amended so as to read as follows.

The roll was called, and the amendment number one concurred in by the following vote:

AYES—Messrs. Allen, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Firebaugh, French, Hazard, Heath, Heywood, Hollister, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Loud, May, McGlashan, McMurray, Munday, Patterson, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—50.

NOES—None.

AMENDMENT TO TITLE.

Amend the title, by striking out the same, and inserting in lieu thereof the following: "An Act to amend section one thousand six hundred and sixty-two of an Act of the Legislature of the State of California entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the public schools."

Concurred in by unanimous consent.

ADJOURNMENT.

At five o'clock and thirty minutes P. M., on motion of Mr. Munday, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 7, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by Rev. Mr. Anderson.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Mr. Ward of Butte was granted one day's leave of absence.

MOTION.

Mr. Lovell moved that Messrs. Pellet, Walrath, Goucher, and Watson of El Dorado, be allowed to have their votes changed on roll call of Assembly Bill No. 449, ordering the bill engrossed, and to be read third time.

So ordered.

Mr. Walrath requested his vote be recorded "no."

Mr. Watson of El Dorado requested that the record show that he did not vote.

Messrs. Goucher and Pellet requested their votes be recorded "aye."

RESOLUTIONS—(OUT OF ORDER).

Mr. Jordan moved that the following resolution be adopted under a suspension of the rules.

So ordered.

WHEREAS, Section two hundred and sixty-one of the Political Code requires the Chief Clerk and Assistant Clerks of the Assembly, at the close of each session of the Legislature, to mark, label, and arrange all bills and papers of the Assembly, and deliver them, together with all of the books and archives of the Assembly, to the Secretary of State, who must certify to the reception of the same, and whereas, section two hundred and sixty-nine of said Political Code provides that each of said officers shall receive a compensation of fifty dollars for such services; and whereas, the appropriation for the pay of officers provides for the payment of three of said clerks; therefore, be it

Resolved, That the Controller is hereby directed and authorized to draw his warrant for the sum of fifty dollars in favor of Ed. J. Smith, Assistant Clerk, and the Treasurer is hereby directed to pay the same, said sum to be paid out of the appropriation for the Contingent Fund of the Assembly.

By Mr. McGlashan:

Resolved by the Assembly, the Senate concurring, That this Legislature do adjourn sine die this Saturday evening, March 7, 1885, at eleven o'clock P. M.

Mr. Munday moved to lay on the table.

Roll call demanded by Messrs. Wood, Roseberry, and McDonald.

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

AYES—Messrs. Allen, Almy, Ashe, Banbury, Britt, Buhlert, Carter of Contra Costa, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, French, Goucher, Gregory, Johnson, Jones, Jordan, Loud, Lovell, May, McDonald, McMurray, Mears, Munday, Patterson, Pellet, Porter, Reeves, Russ, Sullivan, Torrey, Walrath, and Mr. Speaker—39.

NOES—Messrs. Barnes, Barnett, Beard, Black, Carter of Solano, Colby, Douglas, Ellison, Firebaugh, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Laughlin, Long, McGlashan, McJunkin, McLean, Moffitt, Morris, Swayne, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Whitcomb, and Wood—33.

MOTION.

Mr. Woodward moved to take up Senate Concurrent Resolution No. 18.

So ordered.

Senate Concurrent Resolution No. 18—Relative to the direct war tax assessed to and levied upon the several States, under the Act of Congress, approved August 5, 1861.

Read, and adopted.

REPORTS OF STANDING COMMITTEES.

ON ATTACHES AND EMPLOYES.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1885.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions—have had the same under consideration, and respectfully report the same back, and recommend that they do pass:

No. 1. *Resolved*, That Arnold Goodfriend be and he is hereby appointed as Messenger of the Assembly, whose duties it shall be to box up and ship to the members of the Assembly their personal effects, such as books, papers, and files; also to stay here and mail to the Assemblymen the Weekly History, which is now being printed, and will not be ready at the close of the session, for which services he shall receive the sum of seventy-five dollars, said sum to be paid out of the appropriation for the Contingent Fund of the Assembly.

Lost.

No. 2. Resolution authorizing the payment of twenty-three dollars and fifty cents, in favor of George Edwards, for services rendered in repairing furniture of the Assembly.

Resolution adopted.

No. 3. *Resolved*, That S. Bones be allowed per diem from the seventh day of January, 1885, the same as the other Pages of the Assembly, and the Controller is hereby authorized to draw his warrant in favor of S. Bones, from the seventh day of January to the twentieth day of January, 1885, at a per diem of three dollars.

Resolution lost.

No. 4. *Resolved*, That G. O. Green be and he is hereby allowed the same pay as is allowed the clerk to the Sergeant-at-Arms for five days' services performed at the opening of this session, for his assistance and instructions in getting the office in shape for the proper distribution of bills, and other business connected therewith, the same to be paid out of the Contingent Fund of the Assembly.

HUSSEY, Chairman.

Resolution lost.

The roll call was demanded on the adoption of resolution marked No. 1, on the report of the Committee on Attachés and Employés, and it was lost by the following vote:

AYES—Messrs. Black, Daley, Hunt, Hussey, Kalben, McDonald, Mears, and Moffitt—8.

NOES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Solano, Colby, Corcoran, Deveny, Ellison, Firebaugh, French, Goucher, Hazard, Heath, Henry, Hollister, Jones, Jordan, Laughlin, Long, Lond, Lovell, May, McGlashan, McJunkin, McMurray, Roseberry, Russ, Sullivan, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Woodward, and Mr. Speaker—38.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1885.

MR. SPEAKER: Your Committee on Public Buildings and Grounds herewith submit their final report, and recommend its being printed.

DAVIS, Chairman.

So ordered.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1885.

MR. SPEAKER: Your Committee on Public Grounds and Buildings, having, in pursuance with the duties with which they were charged, visited and examined the State Capitol building and Agricultural Pavilion at Sacramento, the State University, and the Institute for the Deaf and Dumb, and the Blind, at Berkeley; the Insane Asylums at Stockton and Napa; the State Prison at San Quentin; and the State Normal Schools at San José and Los Angeles, desire to submit the following report of our observations and investigations, and the suggestions which we have to offer as a result thereof, with reference to the condition, and wants and needs thereof:

The State Capitol.

We found that during the past two years necessary and valuable improvements have been made in the acoustics of both the Senate and Assembly Chambers, and the system of ventilation and sewerage has undergone a noticeable improvement, the work having been provided for by the Legislature of 1883. A sum approximating eight thousand dollars was expended in bringing about these much needed improvements, and so well pleased are your committee with the result of this expenditure that we feel no reluctance in saying that the increased facilities for the ventilation of the building alone would warrant the expenditure of the amount which was required to furnish in addition thereto a system of sewerage which is calculated to protect and preserve health. The Cottier system of ventilation is used in the Senate and Assembly Chambers. In the Senate Chamber there are twelve and in the Assembly Chamber fourteen channels cut in the main wall of the building and carried up into the expansion chambers over the halls, each provided with three Cottier patent cowls, extending some seventeen feet above the roof. The apertures in the floor for the admission of pure and the emission of foul air are arranged in a splendid manner in the base, with plates so adjusted as to preclude the possibility of the existence of such a variation of the temperature between the ceiling and the floor as would not be conducive to the comfort of occupants and economy in fuel The designers of this work, and the contractors who carried out their plans, are entitled to much credit and praise for the excellent results of their efforts. The elegant appearance of the grounds is evidence of the industrious and constant care and attention which have been devoted to them. The new stone fence which is being constructed around the grounds promises to add materially to their general appearance, and prove an ornamental as well as a useful improvement. The work has not progressed with rapidity, but is, your committee believe, being done to the entire satisfaction of the Commissioners.

The Agricultural Pavilion.

Your committee are free to express the opinion that the State never appropriated a sum of money to a better advantage than it did the forty thousand dollars, which, together with a similar amount contributed by the citizens of Sacramento, was expended in the construction of the Agricultural Pavilion, situated in the southeast portion of Capitol Park, of handsome architectural design, substantially built, imposing in appearance, and convenient for the purposes for which it was constructed. This edifice is a lasting monument of the good taste and enterprise of the State It will undoubtedly bear favorable comparison with any other State exposition building west of the Mississippi River.

The State University.

A thorough inspection of the grounds and buildings of this institution convinced your committee that the appropriation for which the Regents thereof have asked, fifty-one thousand dollars, is not at all in excess of the sum of money which will be found absolutely necessary in making such improvements about and on the same as are unquestionably needed. Provision must be made for additional facilities for the supply of water, and it will, therefore, be necessary to build a reservoir, tunnel, purchase and lay pipes, etc The present system of sewerage is very bad—so much so, in fact, that health is endangered, and the condition of affairs there, in point of sanitary regulations, are such as would be hardly suffered among the most unintellectual and barbarous race of people. This appropriation would also include the expenditure of money for insurance, painting, and otherwise improving and beautifying the building and surroundings. The grounds of the University are exceedingly handsome, and their improvement, from year to year, will, no doubt, in course of time, make them possess an attractiveness in point of beauty that is rarely seen in public grounds. The Viticultural Department of the University is one of the most important of the institution. The development of this industry in California certainly promises to greatly enhance the prosperity of the State, and this department of a leading public institution should receive all possible care and attention from those into whose keeping it has been confided It is, in the judgment of your committee, in want of aid, the rendering of which is heartily recommended by your committee, so that its efficiency may be promoted. More room and better accommodations are needed for this department.

Institute for the Deaf and Dumb and Blind.

The care taken of the public property at this institution is deserving of praise, and the buildings, which are in all respects admirable, are maintained in excellent order, and guarded with zeal against destruction in any form. The bakery and cooking school, provided for by the preceding Legislature, we found nearly completed, and the carpenter shop and printing office equipped and in working order. The Principal, in his report, says that "the water question is unsettled," which expresses the most urgent need of the institution at this time. Something needs to be done here concerning the sewerage As at Berkeley, it is very poor, and imperils the health of the unfortunate wards of the State at this institution. The Directors ask for fifteen thousand dollars for fencing, improving the grounds, and the erection of a new barn. These are necessary improvements, and your committee do not regard the appropriation asked for at all extravagant.

The Insane Asylum at Stockton.

A sum aggregating nearly two hundred thousand dollars has been expended during the past two years for new buildings and in the establishment of a new sewerage system and in improving the water supply. This institution has been managed with ability and the appropriations well expended. Alterations in the system of heating and ventilation of the original building and repairs thereto are necessary, and the cost of same is approximated at twenty-five thousand dollars.

The Insane Asylum at Napa.

This is without doubt, in point of architectural design and finish, one of the finest and most handsome buildings in the American Union, devoted to the care of those who have unfortunately been deprived of their reason. The great trouble here, as well as at the same institution at Stockton, is that the number of patients cared for is far in excess of the number which should by rights be kept at the institution. In other words, the accommodations at both institutions are too limited for the number of patients to be thus cared for, and their overcrowded condition cannot fail to be productive of serious results The only appropriation solicited by this institution is one to be applied to the construction of two infirmaries—one for males and the other for females—in which may properly be kept, and cared for, patients whose state of health is such as to require better and more careful nursing than can be given them in the main building. Your committee regard the building of these as an urgent necessity, inasmuch as the wards are now so overcrowded that it is almost impossible under the existing state of affairs to give special attention to those patients the peculiarity of whose afflictions absolutely require it.

The Normal School at San José.

This is a handsome structure, and is a new building, having been built to take the place of the old building, which became a victim of the fire fiend but a few years ago Situated in the heart of one of California's most favored cities, it possesses all the attractions which should always be found in and with places of learning provided by the State.

The Normal School at Los Angeles.

This edifice, while not as costly or handsome a structure as the institution at San José, of which it is a branch, has the advantage of occupying an elevated altitude in a city on which the God of Nature seemed to have been exceedingly partial in distributing his numerous blessings throughout the land of the 'setting sun" Located on a hill a considerable distance above the city, it possesses a commanding view of not only the city itself, but of the country for miles around it, thus presenting to the eye a varied and lovely scene, made up of oranges and other luscious fruits of a tropical nature, and trees, vines, and shrubbery of all conceivable kinds. The grounds, which were deeded gratuitously to the State by the City of Los Angeles, are as yet in an unimproved state, while the fence by which they are surrounded is in a very dilapidated condition. An appropriation for the purpose of improving these is a suggestion upon which your committee unanimously and earnestly urge action.

State Prison at San Quentin.

Your committee visited the State Penitentiary at San Quentin, and found the grounds and buildings in excellent condition The building of an infirmary, in which to treat and give proper attention and nursing to insane convicts, has been a subject adverted to frequently by citizens of the State, and demanded by the officials under whose control these institutions are managed. Your committee is convinced of the desirability and necessity of such an auxiliary to the prison at San Quentin, and, therefore, recommend such legislation as will result in the building of one.

DAVIS, Chairman.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1885.

MR. SPEAKER Your Committee on State Hospitals herewith submit their final report, and recommend it be printed.

WHITCOMB, Chairman.

So ordered.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1885.

MR. SPEAKER: Your Committee on State Hospitals, in the discharge of its duties, and by permission of the House, visited the Insane Asylum at Napa The Resident Physician, E T. Wilkins, M.D., in the skillful management of this important asylum, is deserving of great praise. The building itself is a grand pile, and speaks of a proud and wealthy and charitable State. In its general design and in its details, there is no apparent room for improvement, but it is to be regretted that into an asylum like this, intended for eight hundred patients, there should be crowded the astonishing number of one thousand three hundred and seventy-eight.

The original design contemplated two infirmaries, one for each sex, and to be detached from the main asylum. These have never been built The commonest sentiment of humanity demand their immediate erection, and your committee so advises. It was found that the Resi-

dent Physician, with his family and his assistant physician, for the want of other residence accommodations, are compelled to occupy apartments in the asylum—in the judgment of your committee a most objectionable arrangement, whether viewed from the standpoint of justice to these officers and their families, or to the patients of an overcrowded asylum. We advise the immediate erection of suitable official residences, and that the rooms made vacant in the asylum be furnished for occupancy by the insane. When these infirmaries and residences are constructed there will be an increase of accommodations for two hundred and fifty patients The committee found sixteen State prisoners confined in this asylum, and believes that many of them are only seeking an easier road to escape the penalty of crime, and desire to express the hope that some proper accommodation for criminal insane may be provided in a safe place. Every part of the asylum and of its ample grounds we found in faultless condition. The vegetable gardens, vineyards, and orchards show the superintendence of a master hand, and the reservoirs and appliances for an inexhaustible supply of pure water to the asylum and grounds deserves special commendation.

We note with pleasure that the Act of the last session of the Legislature assigning certain revenues of the asylum to a Contingent Fund, under the administration of the Resident Physician, works most admirably. By timely and judicious drafts upon it many needed improvements are carried out, and we found the balance on hand in this fund, at date January 23, 1885, to be seven thousand five hundred and eighteen dollars and seventy-two cents, from which, however, a few dollars should be deducted for accruing bills payable. The boilers in the engine house need replacing at an early day at a cost of about three thousand dollars, which charge will be met by a draft on the contingent fund. The financial accounts of the asylum are kept in a thoroughly business way, with ample checks against accidental or intentional error, and the duties of the Board of Trustees discharged by them with extreme vigilance and good faith to the State The unexpended balance for the thirty-fifth fiscal year was seven thousand five hundred and fifty-one dollars and seventy-one cents, and the amount unexpended for the current fiscal year is ninety-six thousand two hundred and ninety-three dollars and eighty cents, making a total of cash on hand of one hundred and three thousand eight hundred and forty-five dollars and fifty-one cents, giving promise, if no unexpected draft is made upon it, of returning to the State Treasury, on the thirtieth day of June next, about seven thousand dollars.

We hold it a duty to commend the faithfulness and manifest ability of the Assistant Physicians, F. L. Dozier, M.D., and F W. Hatch, M.D.

Your committee also visited the Insane Asylum at Stockton, and found it under the able superintendence of W. T. Browne, M.D , a most important and useful State institution Every department of the asylum shows intelligent and careful supervision. The medical staff, composed of Doctors Langdon and May as assistants to the Superintendent, seems to have been happily selected, and the committee heard no complaints in regard to any of the officers or attendants. It is apparent that some new arrangements for heating a portion of the asylum and for the repair of another should be at once provided for, and we advise an appropriation for these purposes.

The financial management of this asylum is highly creditable to all concerned, and reflects honor upon the Board of Trustees When it is considered that it has no farm land attachment to aid in its supplies, it is worthy of note that the daily per capita expense is kept as low as forty-one cents. It is to be hoped the law allowing idiots, imbeciles, sufferers from senility, and a larger class of persons in no sense fitted for any possible treatment in an insane asylum, may be amended so as to exclude them, and leave the room and the bounty of the State to those for whom such an institution was created. Respectfully submitted.

WHITCOMB, Chairman.

ON PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1885.

MR. SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 337—have had the same under consideration, and respectfully report the same back, without recommendation.

CHAS. H. WARD, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1885.

MR. SPEAKER: In pursuance of a resolution of this body, your Committee on Judiciary, who have had under consideration Senate Bill No 89, and Assembly Bills Nos. 215, 146, 261, 286, 186, and 26, and Assembly Petition, filed February 14, 1885, herewith, return the same to this Assembly.

ELLISON, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 6, 1885.

MR SPEAKER: I am directed to inform your honorable body that the Senate has, on this day, concurred in Assembly amendments to Senate Bill No. 112—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and ninety-one, and one thousand one hundred and ninety-five of an Act of the Legislature of the State of California, entitled "An Act to establish a Code of Civil Pro-

cedure," approved March 11, 1872, and to add four new sections thereto, to be known, numbered, and designated as sections one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, and one thousand two hundred and three, all relating to liens of mechanics and others upon real property, and to carry out the mandate of section fifteen, of article twenty, of the Constitution.

And has also amended and passed Substitute for Assembly Bill No. 72—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending and revising and subdividing into new sections section one hundred and sixty-three of said Act, and renumbering sections one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, and one hundred and eighty-four of said Act shall be hereafter respectively known and numbered as sections two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, two hundred and seventeen, two hundred and eighteen, two hundred and nineteen, two hundred and twenty, two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-five, two hundred and twenty-six, two hundred and twenty-seven, two hundred and twenty-eight, two hundred and twenty-nine, two hundred and thirty, and two hundred and thirty-one—and respectfully ask your honorable body to concur therein.

Also, has amended and passed Assembly Bill No. 489—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties—and respectfully ask your honorable body to concur in the same.

Also, has amended and passed Assembly Bill No 421—An Act to amend sections one, two, five, and eight of an Act approved March 3, 1883, entitled "An Act to amend an Act entitled 'An Act to create Hastings College of Law in the University of the State of California,'" approved March 26, 1878—and respectfully ask the concurrence of your honorable body thereto.

Also, have passed Assembly Bill No. 512—An Act to authorize the Controller and Treasurer of State to transfer certain funds.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Assembly Substitute for Assembly Bill No. 72 was taken up for consideration, and the Senate amendments considered.

AMENDMENT NUMBER ONE.

Amend section one hundred and sixty-four, by striking out, after words "Superintendent of Schools," "twenty-four hundred," and inserting "three thousand."

Concurrence refused.

AMENDMENT NUMBER TWO.

Amend, by inserting, in section one hundred and sixty-nine, after the words "The Sheriff may employ a deputy," the words "with the consent of the Board of Supervisors."

Concurrence refused.

AMENDMENT NUMBER THREE.

Amend, by striking out, in section one hundred and seventy, after words "The Sheriff, seven thousand dollars per annum," the words "and mileage in all civil cases."

Concurred in.

AMENDMENT NUMBER FOUR.

Amend, by striking out, in section one hundred and seventy-four, all words after the words "Supervisors each the sum of six hundred dollars per annum."

Concurred in.

AMENDMENT NUMBER FIVE.

Amend, by striking out, in section one hundred and seventy-seven, after word "Treasurer," "twelve," and inserting "fifteen."

Concurred in.

AMENDMENT NUMBER SIX.

Amend. by striking out, in section one hundred and seventy-seven, after words "the Assessor, two thousand," the word "two," and inserting the word "five."

Concurred in.

AMENDMENT NUMBER SEVEN.

Also, same section, in last line, after word "Supervisors," strike out the word "two," and insert the word "five."

Concurred in.

AMENDMENT NUMBER EIGHT.

Amend section one hundred and eighty-two, to read:
"11. The Superintendent of Schools, one thousand six hundred and fifty dollars per annum."

Concurred in.

AMENDMENT NUMBER NINE.

Amend, to read as follows:
Section 183 In counties of the twenty-first class, the officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:
1. The County Clerk, three thousand dollars per annum.
2. The Sheriff, four thousand dollars per annum.
3. The Recorder, one thousand five hundred dollars per annum.
4. The Auditor, one thousand dollars per annum.
5. The Treasurer, one thousand five hundred dollars per annum.
6. The Tax Collector, one thousand dollars per annum.
7. The Assessor, two thousand five hundred dollars per annum.
8. The District Attorney, three thousand dollars per annum.
9. The Coroner, such fees as are now or hereafter may be allowed by law.
10. The Public Administrator, such fees as are now or hereafter may be allowed by law.
11. The Superintendent of Schools, one thousand dollars per annum.
12. The Surveyor, such fees as are now or hereafter may be allowed by law.
13. Justices of the Peace, such fees as are now or hereafter may be allowed by law.
14. Constables, such fees as are now or hereafter may be allowed by law.
15. Supervisors, five dollars per day while in session, and twenty cents per mile for traveling from his place of residence to the county seat.

Concurred in.

AMENDMENT NUMBER TEN.

Also, as follows
Section 184 In counties of the twenty-second class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the salary, or fees, or both, now allowed, or that hereafter may be allowed them by law, respectively.

Concurred in.

AMENDMENT NUMBER ELEVEN.

Amend section one hundred and eighty-five, to read:
8. The District Attorney, one thousand eight hundred dollars per annum.
9. The Coroner, such fees as are now or hereafter may be allowed by law.
10. The Public Administrator, such fees as are now or hereafter may be allowed by law.
11. The Superintendent of Schools, fifteen hundred dollars per annum.
12. The Surveyor, such fees as are now or hereafter may be allowed by law.
13. Justices of the Peace, such fees as are now or hereafter may be allowed by law.
14. Constables, such fees as are now or hereafter may be allowed by law.
15. Supervisors, the sum of four hundred dollars per annum, together with twenty cents per mile for traveling from his place of residence to the county seat.

Concurred in.

AMENDMENTS NUMBERS TWELVE AND THIRTEEN.

Amend section one hundred and ninety, to read:
15. Supervisors shall receive seven dollars per day and twenty cents per mile in traveling to and from respective residences to the county seat; and not to exceed in the aggregate four hundred dollars per annum each.

Concurred in.

AMENDMENT NUMBER FOURTEEN.

Amend section one hundred and ninety-four, to read:
2. The Sheriff, five thousand dollars per annum.

Concurred in.

AMENDMENT NUMBER FIFTEEN.

Amend section one hundred and ninety-four, to read:
5. The Treasurer, twelve hundred dollars per annum.

Concurred in.

AMENDMENT NUMBER SIXTEEN.

Amend section one hundred and ninety-five, to read:
15. Supervisors shall receive seven dollars per diem, and twenty cents per mile in traveling to and from respective residences to the county seat. All of which compensation in the aggregate shall not exceed four hundred dollars per annum each.

Concurred in.

AMENDMENTS NUMBERS SEVENTEEN, EIGHTEEN, NINETEEN, AND TWENTY.

Amend section two hundred and three, to read:
1. The County Clerk, fifteen hundred dollars per annum.
2. The Sheriff, three thousand five hundred dollars per annum.
3. The Recorder, one thousand dollars per annum.
4. The Auditor, five hundred dollars per annum.

Concurred in.

AMENDMENTS NUMBERS TWENTY-ONE, TWENTY-TWO, AND TWENTY-THREE.

Amend section two hundred and ten, to read:
Section 3. The salaries herein provided shall not take effect nor be in force until the expiration of the term of the present officers, except as hereinafter provided.
Section 4 The salaries herein provided for the offices of the tenth, thirty-fifth, and forty-sixth classes shall take effect and be in force from and after the first day of the first month next succeeding its passage.

Concurred in.

Assembly Bill No. 421 taken up, and the Senate amendments considered.

AMENDMENT NUMBER ONE.

Amend title, by striking out, in printed bill, the word "two," and substitute in lieu thereof, the word "four."

Concurred in.

AMENDMENT NUMBER TWO.

Amend section two, by striking out all between the words "of the State of California, as above provided," and "the Dean of said college shall be," the following: If from any cause there shall be no Chief Justice, or he refuses or neglects to act, the Board of Trustees shall appoint one of their number to draw the funds as above provided, and also to fill any vacancy in the Board.

Concurred in.

Assembly Bill No. 489 taken up, and Senate amendments considered.

AMENDMENT NUMBER ONE.

Amend, by inserting after the enacting clause, the following:
Section one hundred and sixty-two of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, is hereby amended so as to read as follows:

Concurred in.

AMENDMENTS NUMBERS TWO AND THREE.

Amend the bill as follows, to read:

Counties having a population of eleven thousand two hundred and eighty-five and under eleven thousand three hundred, shall belong to and be known as counties of the twenty-first class.

Counties having a population of eleven thousand and under eleven thousand two hundred and eighty-five, shall belong to and be known as counties of the twenty-second class.

Concurred in.

CALL OF HOUSE.

Mr. Munday moved a call of the House.

So ordered.

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

Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Solano, Clark, Colby, Cook, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker

Mr. Munday moved that further proceedings under the call of the House be dispensed with.

So ordered.

MOTION.

Mr. Munday moved to take up Senate Bill No. 22.

So ordered.

MATTER OF URGENCY.

Mr. Munday moved that, in accordance with the provisions of the Constitution, Senate Bill No. 22—An Act to regulate and control the sale, rental, and distribution of appropriated water in this State, other than in any city, city and county, or town therein, and to secure the rights of way for the conveyance of such water to the places of use, be made a matter of urgency, and that the provisions of the Constitution requiring the reading of a bill on three separate days be suspended, and that the bill be put upon its passage.

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

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Beard, Black, Buhlert, Clark, Colby, Cook, Corcoran, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Patterson, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—61.

NOES—Messrs. Britt, Carter of Solano, Hollister, Pellet, and Wood—5.

Bill read second time.

Mr. McJunkin moved that the rules be suspended, and that the bill be read third time, and put upon its passage.

So ordered.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Beard, Buhlert, Carter of Contra Costa, Clark, Colby, Cook, Corcoran, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, Gregory, Heath, Henley, Heywood, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Munday, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Walrath, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr Speaker—55.

NOES—Mr. Wood—1.

Title approved.

MOTION.

Mr. Jordan moved to take up Assembly Bills Nos. 443, 444, and 445 for consideration.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 443—An Act to amend section one thousand four hundred and ninety of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the meeting of the Board of Trustees of the State Normal School.

Read second time.

Assembly Bill No. 444—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section one thousand five hundred and nine, relating to the branch State Normal School of California.

Read second time.

Committee on Education offered the following amendment, which was adopted, to wit: amend section one, by inserting the words "located at Los Angeles."

Assembly Bill No. 445—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section one thousand five hundred and eight, fixing the mileage to be allowed to the Board of Trustees of the State Normal School while attending the meetings of the Board.

Read second time.

Committee on Education offered the following amendment, which was adopted, to wit: amend section one, by inserting the words "bills for such mileage shall be audited by the State Board of Examiners, and paid out of the General Fund of the State."

CALL OF HOUSE.

Mr. Jordan moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Banbury, Barnes, Beard, Black, Britt, Buhlert, Carter of Solano, Colby, Corcoran, Daley, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker.

Mr. Jordan moved that further proceedings under the call of the House be dispensed with.

So ordered.

MATTERS OF URGENCY.

Mr. Jordan moved that, in accordance with the provisions of the Constitution, Assembly Bills Nos. 443, 444, and 445 be made matters of urgency, and that the provisions of the Constitution requiring the reading of a bill on three separate days be suspended, and that the bills be put upon their passage.

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

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Buhlert, Carter of Sólano, Colby, Corcoran, Davis, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Gregory, Hazard, Heath, Heywood, Hollister, Johnson, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, Mears, Moffitt, Munday, Pellet, Reeves, Russ, Swayne, Walrath, Watson of Alameda, Watson of El Dorado, Wood, Woodward, Yule, and Mr. Speaker—45.

NOES—Messrs. Daley, Deveny, Franklin, Goucher, Hussey, Kalben, Lafferty, McDonald, McLean, McMurray, Porter, Sullivan, Ward of San Francisco, and Whitcomb—14.

Assembly Bills Nos. 443, 444, and 445, ordered engrossed, and to be read third time.

RESOLUTION.

By Mr. Gregory:

WHEREAS, One of the Pages of this House, by name Wilkie Edwards, met with a severe accident while in the employ of this Assembly a few days since, and whereas, he has persistently refused to give his consent to the introduction of a resolution allowing him extra pay to defray the expenses incurred by said accident, giving as a reason that he was not entitled to it, as he had already received more than the law allows; and whereas, we admire the spirit of honesty and fair dealing exhibited by the said Wilkie Edwards; therefore, be it

Resolved, That this Assembly recognize in the said Wilkie Edwards an honest boy, and extend to him their sincere sympathy and good wishes.

Adopted.

MOTION.

Mr. Corcoran moved to take up Senate Bill No. 251.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 251—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and sixty-two thereof, relative to the powers of the Boards of Trustees of cities of the sixth class.

Read second time, and ordered to be read third time.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1885.

MR. SPEAKER. Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled:

Assembly Bill No. 510—Entitled "An Act to appropriate money to pay indebtedness incurred by calling the State militia into service to enforce the law in San Joaquin County"

Assembly Bill No. 123—An Act to provide for deficiency in the appropriation for expenses of the Supreme Court, which may be incurred under section forty-seven of the Code of Civil Procedure, during the thirty-fifth and thirty-sixth fiscal years

Assembly Bill No. 576—An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature.

And the same were, at twelve o'clock and twenty minutes P. M., March 7, 1885, presented to the Governor for his approval.

Assembly Bill No. 222—Entitled "An Act to amend an Act approved January 14, 1868, entitled 'An Act to amend an Act entitled an Act to provide for the formation of chambers of commerce, boards of trade, mechanics' institutes, and other kindred protective associations,'" approved March 31, 1866.

Assembly Bill No. 297—An Act to amend sections three thousand six hundred and forty-six and three thousand six hundred and forty-four of the Political Code, relating to revenue.

Assembly Bill No. 168—Making appropriation for the establishment of a permanent fund for the purchase of jute to be manufactured at the State Prison at San Quentin.

Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, relating to the dismissal of actions.

And the same were, at twelve o'clock and twenty minutes P. M., March 7, 1885, presented to the Governor for his approval.

Assembly Bill No. 572—Entitled "An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State."

Assembly Bill No. 216—An Act to amend section one hundred and sixty-four of an Act to establish a uniform system of county and township governments, approved March 14, 1883.

Assembly Bill No. 156—An Act to appropriate the sum of thirty-four thousand four hundred and nineteen dollars and forty cents to pay M. Miles and his sureties in building the State Prison at Folsom.

Assembly Bill No. 7—An Act to amend section four hundred and twenty-seven of the Civil Code.

Assembly Bill No. 20—An Act to subject certain reclamation districts in the State to the provisions of the Political Code

Assembly Bill No. 93—An Act making an appropriation for the deficiency in the appropriation to purchase Supreme Court Reports for the thirty-fourth fiscal year.

And the same were, at twelve o'clock and twenty minutes P. M., March 7, 1885, presented to the Governor for his approval.

DAVIS, Chairman.

RECESS.

At twelve o'clock and thirty minutes P. M., the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at two o'clock P. M.
Speaker pro tem. Weaver in the chair.
Quorum present.

LEAVE OF ABSENCE.

Messrs. Pellet, Hunt, Coleman, and Davis were granted one day's leave of absence.
Speaker Parks in the chair.

RECONSIDERATION.

Mr. Munday moved to reconsider the vote whereby the House receded from the following amendment to Senate Bill No. 79, to wit:

SEC. 38. This Act shall not apply to cities or towns now incorporated under "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

The roll call was demanded by Messrs. Munday, Henley, and Ashe.
The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Almy, Ashe, Beard, Black, Carter of Solano, Clark, Colby, Cook, Dooling, Douglas, Ellison, Goucher, Gregory, Henry, Hollister, Hussey, Johnson, Laughlin, Moffitt, Munday, Van Voorhies, Walrath, and Woodward—23.

NOES—Messrs. Allen, Barnes, Britt, Buhlert, Corcoran, Davis, Deveny, Edwards, Firebaugh, Franklin, French, Hazard, Heywood, Jones, Jordan, Lafferty, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Porter, Reeves, Roseberry, Sullivan, Watson of Alameda, Whitcomb, Wood, and Mr. Speaker—34.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1885.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed Nos. 443, 444, and 445.

DEVENY, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed and amended the title to Assembly Bill No. 169—"An Act to amend section six hundred and thirty-four of the Penal Code, relative to fish and game."

Also, have receded from Senate amendments numbers one and two, to Substitute for Assembly Bills Nos. 72 and 326.

Also, have receded from Senate amendments numbers one and four, and to title, and have adopted Senate amendment number three, as amended, to Assembly Bill No. 89, and respectfully call your attention to the fact that amendment number three properly belongs at the end of section seven, not section six, where formerly attached, the printed bill being correct.

Also, that amendment of Assembly to Senate amendment number three should read, insert word "or" after word "Napa" instead of word "asylum."

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Assembly Bill No. 169 was taken up, and the Senate amendment to the title was unanimously concurred in.

THIRD READING OF BILLS.

Senate Bill No. 69—An Act to amend sections three thousand one hundred and ninety-seven and three thousand one hundred and ninety-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to trademarks.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Beard, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hussey, Johnson, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McMurray, Mears, Porter, Reeves, Roseberry, Russ, Swayne, Watson of Alameda, Whitcomb, Wood, Woodward, and Mr. Speaker—51.

NOES—None.

Title approved.

Assembly Bill No. 151—An Act prescribing the mode of maintaining and defending possessory action on unsurveyed public lands in this State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Beard, Black, Buhlert, Carter of Solano, Clark, Cook, Corcoran, Deveny, DeWitt, Dooling, Douglas, Edwards, French, Gregory, Hazard, Heath, Henley, Henry, Hollister, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, Mears, Moffitt, Reeves, Russ, Swayne, Watson of Alameda, Whitcomb, Woodward, and Mr. Speaker—42.

NOES—Messrs. Colby, Ellison, Firebaugh, Johnson, and Wood—5.

Title approved.

Senate Bill No. 174—An Act to amend section three thousand four hundred and forty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to preferred purchasers of public lands.

Read third time.

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

AYES—Messrs. Allen, Ashe, Clark, and Yule—4.

NOES—Messrs. Allen, Banbury, Barnes, Beard, Buhlert, Carter of Solano, Colby, Corcoran, Deveny, Dooling, Edwards, Franklin, French, Hazard, Heath, Henry, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Lovell, May, McDonald, McJunkin, Mears, Moffitt, Reeves, Roseberry, Russ, Watson of Alameda, Wood, and Mr. Speaker—35.

RECONSIDERATION.

Mr. Weaver moved to reconsider the vote whereby Senate Bill No. 247 was lost.

Pending.

NOTICE OF RECONSIDERATION.

Mr. Corcoran gave notice that he would move to reconsider the vote whereby Senate Bill No. 174 was lost.

ADJOURNMENT.

At three o'clock and thirty minutes P. M., Mr. Watson of Alameda moved to adjourn until Monday, March 9, 1885, at two o'clock P. M.

The roll call was demanded by Messrs. McGlashan, Wood, and Henley.

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

AYES—Messrs. Allen, Banbury, Barnes, Beard, Britt, Buhlert, Carter of Solano, Clark, Corcoran, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Heywood, Hussey, Jones, Jordan, Lafferty, Laughlin, Lovell, May, McDonald, Moffitt, Munday, Patterson, Reeves, Sullivan, Watson of Alameda, Woodward, and Mr. Speaker—38.

NOES—Messrs. Black, Colby, Ellison, Henley, Henry, Hollister, Johnson, Loud, McGlashan, McJunkin, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Weaver, Whitcomb, and Wood—19.

Whereupon the Assembly adjourned until Monday, March 9, 1885, at two o'clock P. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 9, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard,

Heath, Henry, Heywood, Hollister, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

Messrs. Hazard, Edwards, and Henley were granted leave of absence for one day.

MESSAGE FROM SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1885.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, amended and passed Assembly Bill No. 67—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California.

Also, Assembly Bill No. 32—An Act to amend "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known as section nine hundred and eighty-seven, relating to the lien created upon real estate by the filing of a notice of the pendency of an action against the owner thereof upon an official bond.

Also, Assembly Bill No. 311—An Act to authorize the Chief of Police of any city, or city and county, to appoint an interpreter of the Italian language and dialects in criminal proceedings in said cities and cities and counties.

Also, Assembly Bill No. 152—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution, by adding a new subdivision thereto, to be known as subdivision fourteen.

Also, Assembly Bill No. 150—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four of the Political Code, relating to the National Guard of California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of California.

Also, Assembly Bill No. 73—An Act to amend section three hundred and four of the Civil Code of the State of California, relating to corporations.

Also, Assembly Bill No. 74—An Act to amend section five hundred and ninety-nine of the Civil Code of the State of California, relating to corporations, and respectfully request your honorable body to concur in said amendments.

Also, Assembly Bill No. 35—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations."

Also, Assembly Joint Resolution No. 1—Relative to authorizing and directing the publication and disposal of the reports and maps prepared by the State Engineer.

Also, Assembly Bill No. 85—An Act to facilitate the giving of bonds required by law.

Also, have this day passed the following: Assembly Bill No. 112—An Act for the relief of John Hoagland and others.

Also, Assembly Bill No. 327—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be known as section six hundred and three, relating to the formation of religious incorporations for building and administering church property.

Also, Assembly Bill No. 472—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, to relieve said Court from the overburdened condition of its calendar, and to provide for the compensation of said Commissioners.

Also, Assembly Bill No. 252—An Act to amend the Civil Code, by adding to part four, division one, a new title, providing for the incorporation of colleges and seminaries of learning.

Also, Assembly Bill No. 111—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Also, Assembly Bill No. 545—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to the taking and authentication of testimony on examinations in criminal cases, and to provide for the fees to be paid therefor.

Also, Assembly Bill No. 471—An Act entitled "An Act to enable municipal corporations of the sixth class to elect officers."

Also, Assembly Bill No. 448—An Act to pay the claim of P. J. O'Connor for services as architect in the measurement and classification of the work done in the erection of the Napa State Asylum for the Insane.

Also, Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines

Also, Assembly Bill No. 312—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure, relative to the compensation of Court Reporters, as amended, and respectfully ask your concurrence therein.

Also, Assembly Bill No. 488—An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern.

Also, Assembly Bill No. 481—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to public ways and navigable streams.

Also, passed Assembly Bill No. 313—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," and for the purpose of determining the heirship and title to the estates of deceased persons.

Also, have amended the title and passed Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, so as to permit the sale of State school lands not suitable for cultivation, without requiring actual settlement thereon by the purchasers.

Also, Assembly Bill No. 564—An Act to amend section one thousand two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the change of names.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Assembly Bill No. 67 was taken up, and the Senate amendments considered.

AMENDMENT NUMBER ONE.

Add a new section, to read as follows:

SEC. 2. A Board of Examiners, to consist of seven practicing dentists, is hereby created, whose duty it shall be to carry out the purposes and enforce the provisions of this Act. The members of said Board shall be appointed by the Governor from the dental profession of the State at large; the time for which the members of said Board shall hold their offices shall be four years, except that two of the members of the Board first to be appointed under this Act shall hold their offices for the term of one year, two for the term of two years; two for the term of three years; and one for the term of four years, respectively, and until their successors shall be duly appointed and qualified In case of a vacancy occurring in said Board, such vacancy shall be filled by the Governor in conformity with this section.

AMENDMENT NUMBER TWO.

Substitute for section ten the following:

SEC. 10. Nothing in this Act shall be so construed as to prohibit any practicing physician from extracting teeth.

AMENDMENT NUMBER THREE.

Add a new section, to read as follows:

SEC. 11. This Act shall take effect immediately.

The roll was called, and the amendments were concurred in by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Davis, DeWitt, Douglas, Ellison, Firebaugh, French, Gregory, Heath, Heywood, Hollister, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McJunkin, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Pyle, Reeves, Russ, Swayne, Walrath, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 32 was taken up, and the Senate amendment, to strike out section two of the bill, was concurred in by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, French, Gregory, Heath, Heywood, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Morris, Munday, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 311 was taken up, and the Senate amendment to the title was concurred in by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, Goucher, Gregory, Heath, Henry, Heywood, Hollister, Hussey, Jones, Jordan, Kalben, Laughlin, Long, Loud, Lovell, May, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, Yule, and Mr. Speaker—64.

NOES—Mr. McDonald—1.

ASSEMBLY BILL No. 152.

AMENDMENT NUMBER ONE.

Amend title, so as to read as follows

An Act to amend section six hundred and ninety of an Act entitled an Act to establish a Code of Civil Procedure, approved March 12, 1872, relative to property exempt from execution.

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Allen, Almy, Barnes, Britt, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Deveny, DeWitt, Dooling, Firebaugh, Franklin, Gregory, Heath, Henry, Heywood, Hussey, Jordan, Kalben, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Morris, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, and Mr. Speaker—49.

NOES—Messrs. Ashe, Banbury, Barnett, Black, Buhlert, Carter of Contra Costa, Davis, Douglas, Ellison, French, Hollister, Johnson, Jones, Mears, Munday, Watson of Alameda, Wood, and Woodward—18.

AMENDMENT NUMBER TWO.

Insert, in subdivision two, after the word "including," on line six, the following: "one piano or other musical instrument, not exceeding in value five hundred dollars."

The roll was called, and the House refused to concur in the amendment by the following vote:

AYES—Messrs. Banbury, Barnes, Carter of Contra Costa, Carter of Solano, Heath, Heywood, Hollister, Jordan, McGlashan, McJunkin, McLean, Morris, Porter, Reeves, Swayne, Van Voorhies, Walrath, Watson of Alameda, and Ward of Butte—19.

NOES—Messrs Allen, Almy, Ashe, Barnett, Black, Britt, Buhlert, Clark, Coleman, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Ellison, Firebaugh, Franklin, French, Gregory, Henry, Johnson, Jones, Laughlin, Long, Lovell, May, McMurray, Munday, Pellet, Roseberry, Russ, Sullivan, Torrey, Ward of San Francisco, Weaver, Whitcomb, Wood, and Woodward—40.

MOTION.

Mr. Yule moved that Assembly Bill No. 403 be returned to the Senate, with the request that they recede from the amendment made to the bill.

The roll call was demanded by Messrs. Weaver, Ellison, and McGlashan.

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

AYES—Messrs. Allen, Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Culver, Daley, Davis, DeWitt, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Heywood, Hollister, Johnson, Jones, Jordan, Kalben, Lafferty, Loud, May, McDonald, McJunkin, McLean, McMurray, Mears, Morris, Pellet, Porter, Reeves, Roseberry, Swayne, Torrey, Ward of San Francisco, Whitcomb, Wood, Yule, and Mr. Speaker—44.

NOES—Messrs. Barnett, Black, Britt, Coleman, Deveny, Dooling, Henry, Laughlin, Lovell, McGlashan, Munday, Russ, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, and Woodward—18.

NOTICE OF RECONSIDERATION.

Mr. Ellison gave notice of a motion to reconsider the vote whereby the motion of Mr. Yule was carried.

MOTION TO RECONSIDER.

Mr. Munday moved to reconsider the vote whereby Senate Bill No. 174 was lost.

MOTION.

Mr. Davis moved a call of the House.

Lost.

The question then being on the motion to reconsider, the roll was called, and the House refused to reconsider the vote by the following vote:

AYES—Messrs. Allen, Ashe, Black, Clark, Davis, DeWitt, Ellison, Goucher, Jones, McJunkin, Mears, Moffitt, Morris, and Munday—14.

NOES—Messrs. Almy, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Corcoran, Daley, Deveny, Dooling, Douglas, Firebaugh, Franklin, French, Hazard, Heath, Heywood, Jordan, Kalben, Long, Lovell, May, McDonald, McGlashan, McLean, McMurray, Patterson, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, and Mr Speaker—43.

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL No. 152—(RESUMED).

AMENDMENT NUMBER THREE.

Strike out, in subdivision three, the word "necessary," between the words "the" and "forming."

The roll was called, and the House refused to concur in the amendment by the following vote:

AYES—Messrs. Black, Carter of Contra Costa, Franklin, McJunkin, and Swayne—5.

NOES—Messrs. Almy, Banbury, Barnes, Barnett, Britt, Buhlert, Carter of Solano, Colby, Cook, Corcoran, Culver, Deveny, Dooling, Douglas, Ellison, Firebaugh, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Jones, Lafferty, Laughlin, Long, Lovell, May, McDonald, McLean, Mears, Morris, Pyle, Reeves, Roseberry, Russ, Sullivan, Van Voorhies, Walrath, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Mr. Speaker—47.

AMENDMENT NUMBER FOUR.

Strike out, in subdivision three, between the words "debtor" and "owner," the words "not to exceed in value one thousand dollars."

The roll was called, and the House refused to concur in the amendment by the following vote:

AYES—Mr. McJunkin—1.

NOES—Messrs. Almy, Barnett, Black, Britt, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Hollister, Hussey, Jordan, Lafferty, Laugh-

lin, Long, Loud, Lovell, May, Mears, Moffitt, Munday, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Walrath, Ward of Butte, Ward of San Francisco, Weaver, Wood, Woodward, and Mr Speaker—49.

AMENDMENT NUMBER FIVE.

Insert, in subdivision eight, after the word "attachment," the words "not exceeding one hundred dollars."

The roll was called, and the House refused to concur in the amendment by the following vote:

AYES—Messrs. Almy, Barnett, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Corcoran, Culver, Davis, DeWitt, Heywood, Laughlin, Loud, Lovell, May, McJunkin, Pyle, Roseberry, Swayne, Torrey, Walrath, Ward of Butte, Whitcomb, Wood, Woodward, and Yule—27.

NOES—Messrs. Black, Coleman, Douglas, Ellison, Firebaugh, Goucher, Gregory, Hazard, Heath, Henry, Hussey, Johnson, Jordan, Lafferty, Long, Mears, Moffitt, Munday, Patterson, Reeves, Russ, Sullivan, Ward of San Francisco, Weaver, and Mr. Speaker—25.

AMENDMENT NUMBER SIX.

Amend, by inserting two new subdivisions, to read as follows:

15. Materials used in his trade, and articles produced in whole or in part by his own labor, not exceeding two hundred dollars in value, belonging to any mechanic or artisan carrying on his trade at a fixed place of business.

16. Stock or shares in any private ditch, or a water right, in any manner acquired by a land owner, for the purpose of securing a necessary and reasonable supply for the irrigation of his homestead, except in connection with and appurtenant to said homestead. This exemption shall avail to the extent of securing sufficient water for the ordinary and reasonable use of said homestead, and no more, and it shall not extend to actions for the purchase price of the stock, shares, or water rights.

The roll was called, and the House refused to concur in the amendment by the following vote:

AYES—Messrs. Hazard, Heath, McGlashan, McJunkin, Moffitt, Reeves, Russ, Sullivan, and Weaver—9.

NOES—Messrs. Almy, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Corcoran, Culver, Davis, Dooling, Edwards, French, Heywood, Johnson, Lafferty, Laughlin, Long, Loud, Lovell, May, Mears, Morris, Munday, Patterson, Pellet, Pyle, Swayne, Ward of Butte, Ward of San Francisco, Wood, Woodward, Yule, and Mr. Speaker—35.

ASSEMBLY BILL No. 312.

AMENDMENT NUMBER ONE.

Amend title so as to read as follows. An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," relative to the compensation of Court reporters.

CALL OF THE HOUSE.

Mr. Davis moved a call of the House.

So ordered.

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

Messrs. Allen, Almy, Banbury, Barnes, Barnett, Beard, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henley, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Mr. McJunkin moved that further proceedings under the call of the House be dispensed with.

So ordered.

AMENDMENT NUMBER TWO.

Insert, in section one, after the word "same," on line twenty-nine, the following: *provided further*, that in departments of Superior Courts devoted exclusively to the trial of criminal cases, the Judge of the Court shall, in addition, fix and allow a reasonable compensation for the transcription of testimony, to be paid out of the county, or city and county, treasury, upon the order of the Judge.

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Allen, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Clark, Colby, Coleman, Cook, Corcoran, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Franklin, French, Goucher, Gregory, Heath, Henry, Heywood, Hussey, Johnson, Jones, Jordan, Lafferty, Laughlin, Long, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Whitcomb, Woodward, Yule, and Mr. Speaker—62.

NOES—Messrs. Almy, Firebaugh, Hazard, Loud, Roseberry, Torrey, and Wood—7.

INTRODUCTION OF BILLS.

Mr. May asked permission to introduce a bill under the constitutional provision requiring the consent of two thirds of the members of the Assembly.

The roll was called, and the House granted permission by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Heywood, Hollister, Johnson, Jones, Jordan, Lafferty, Laughlin, Loud, Lovell, May, McJunkin, McLean, McMurray, Moffitt, Morris, Munday, Patterson, Pellet, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—58.

NOES—Messrs. McGlashan, Porter, Roseberry, Torrey, and Ward of Butte—5.

MATTER OF URGENCY.

Mr. May moved, that in accordance with the provisions of the Constitution, Assembly Bill No. 577—"An Act to appropriate money to meet the deficiency in the appropriation to pay the per diem of the officers and clerks of the Assembly for the twenty-sixth session of the Legislature," be made a matter of urgency, and that the provisions of the Constitution requiring the reading of the bill on three separate days be suspended, and that the bill be put upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Heywood, Hollister, Johnson, Jones, Jordan, Lafferty, Laughlin, Loud, Lovell, May, McJunkin, McLean, McMurray, Moffitt, Morris, Munday, Patterson, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—58.

NOES—Messrs. McGlashan, Pellet, Roseberry, Torrey, and Ward of Butte—5.

Bill read first time, and ordered to second reading.

Bill read second time.

Mr. May moved that the rules be suspended, and that the bill be

considered engrossed, and that it be read third time, and put upon its passage.

So ordered.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, DeWitt, Dooling, Firebaugh, Franklin, French, Gregory, Hazard, Hollister, Hussey, Jones, Jordan, Laughlin, Long, Loud, Lovell, May, McJunkin, McLean, Moffitt, Munday, Patterson, Pellet, Porter, Reeves, Russ, Swayne, Van Voorhies, Ward of San Francisco, Wood, Woodward, Yule, and Mr. Speaker—49.

NOES—Messrs. McGlashan, Roseberry, Torrey, and Ward of Butte—4.

Title approved.

INTRODUCTION OF BILLS.

Mr. Munday asked permission to introduce a bill under the constitutional provision requiring the consent of two thirds of the members of the Assembly.

Mr. Walrath moved the previous question.

So ordered.

The roll was then called, and permission to introduce a bill was refused Mr. Munday by the following vote:

AYES—Messrs Allen, Ashe, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Corcoran, Daley, Davis, DeWitt, Dooling, Ellison, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hussey, Johnson, Jordan, Lafferty, McDonald, McGlashan, McJunkin, Moffitt, Morris, Patterson, Pellet, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Watson of El Dorado, Ward of Butte, Weaver, Whitcomb, Wood, and Woodward—46.

NOES—Messrs. Almy, Banbury, Barnes, Colby, Cook, Culver, Douglas, Firebaugh, Hollister, Jones, Kalben, Laughlin, Long, Loud, Lovell, May, McLean, McMurray, Munday, Porter, Sullivan, Walrath, Watson of Alameda, Ward of San Francisco, Yule, and Mr. Speaker—25.

NOTICE OF RECONSIDERATION.

Mr. Munday gave notice that he would move to reconsider the vote whereby the House refused him permission to introduce a bill.

MOTION TO RECONSIDER.

Mr. Weaver moved to reconsider the vote whereby Senate Bill No. 247 was lost.

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

So ordered.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Assembly Bill No. 295 was taken up.

AMENDMENT NUMBER ONE.

Amend title, by striking out all following the word "Code," and substituting, instead, the words "in relation to the sale of State school land."

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Allen, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Douglas, Ellison, Firebaugh, French,

Gregory, Hazard, Heath, Henry, Heywood, Hollister, Johnson, Jordan, Lafferty, Laughlin, Long, Loud, May, McDonald, McJunkin, McMurray, Moffitt, Morris, Patterson, Pellet, Porter, Reeves, Sullivan, Torrey, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—54.

NOES—Messrs. Carter of Contra Costa, McLean, and Roseberry—3.

ASSEMBLY BILL No. 73.

AMENDMENT NUMBER ONE.

Add, after the word "California," in title, the words "approved March 21, 1872."

AMENDMENT NUMBER TWO.

Strike out all of section two.

The roll was called, and the amendments were concurred in by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Cook, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Franklin, Gregory, Heath, Henry, Heywood, Hollister, Johnson, Jones, Jordan, Laughlin, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, Morris, Munday, Pellet, Pyle, Roseberry, Russ, Van Voorhies, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—48.

NOES—Messrs. Goucher and Reeves—2.

ASSEMBLY BILL No. 74.

AMENDMENT NUMBER ONE.

Add, after the word "California," in title, the following: "approved March 21, 1872."

AMENDMENT NUMBER TWO.

Strike out all of section two.

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Britt, Buhlert, Carter of Solano, Davis, Deveny, Dooling, Franklin, French, Goucher, Gregory, Heath, Hollister, Hussey, Jordan, Laughlin, Long, Loud, May, McDonald, McJunkin, McLean, McMurray, Moffitt, Morris, Munday, Pellet, Porter, Reeves, Roseberry, Russ, Sullivan, Torrey, Watson of Alameda, Ward of Butte, Ward of San Francisco, Whitcomb, Wood, and Mr. Speaker—45.

NOES—Messrs. Corcoran, Johnson, and McGlashan—3.

ASSEMBLY BILL No. 150.

AMENDMENT NUMBER ONE.

Amend title so as to read as follows:

An Act to amend sections nineteen hundred and seventeen, nineteen hundred and twenty-nine, nineteen hundred and sixty-two, nineteen hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, two thousand and ninety-four of the Political Code, relating to the National Guard of California, and to repeal section two thousand and twenty-seven of the same Code, relating to said National Guard of California.

AMENDMENT NUMBER TWO.

Insert, in section three, after the word "private," the words "except Gatling gun batteries, which may consist of a maximum number of one hundred and forty-nine officers and privates."

AMENDMENT NUMBER THREE.

Strike out, in section seven, from the word "each," to and including the word "enlistment," on line fourteen.

AMENDMENT NUMBER FOUR.

Insert, in section twelve, after the word "each," on line six, the following: "artillery company and Gatling gun."

AMENDMENT NUMBER FIVE.

Strike out, in section eleven, the words "and to each company the amount necessarily expended for ammunition," and insert in lieu thereof the words "and to the Adjutant-General three thousand five hundred dollars per annum, to be expended by him in promoting rifle practice."

AMENDMENT NUMBER SIX.

Insert, after the word "practice," the words, "there shall also be paid from the military appropriations of the State, the sum of six hundred dollars for the purchase of light carriages for the four Gatling guns now in possession of the Gatling Battery, A Company, Second Artillery Regiment, Second Brigade, National Guard California, which shall be suitable for hand service, and for the purpose of making said company a more efficient arm of the military service."

AMENDMENT NUMBER SEVEN.

Add a new section, to read as follows:

SEC. 13. All laws heretofore enacted that may be inconsistent with this Act are hereby repealed.

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Britt, Carter of Contra Costa, Clark, Culver, Daley, Davis, Deveny, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Heath, Henry, Hollister, Jones, Laughlin, Loud, McDonald, McGlashan, McJunkin, McLean, McMurray, Moffitt, Pellet, Reeves, Roseberry, Russ, Sullivan, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, and Yule—43.

NOES—Messrs. Corcoran, Dooling, Hussey, Johnson, Torrey, and Woodward—6.

MOTIONS.

Mr. Jordan moved to take up Assembly Bills Nos. 443, 444, and 445.

Pending action, Mr. Munday moved to adjourn, which motion was lost on division—ayes, 30; noes, 30.

RECESS.

At five o'clock P. M. the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M. Speaker Parks in the chair.

Quorum present.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled:

Assembly Bills Nos 72 and 326—Entitled "An Act to amend an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March 14, 1883, by amending and revising and subdividing into new sections, section one hundred and sixty-three of said Act, and renumbering sections one hundred and sixty-four to one hundred and eighty-four inclusive"

Assembly Bill No. 268—An Act to amend section one thousand six hundred and sixty-two of the Political Code, approved March 12, 1872, relating to public schools.

Assembly Bill No. 512—An Act to authorize the Controller and Treasurer of State to transfer certain funds.

And the same were, at two o'clock and twenty-five minutes P. M., March 9, 1885, presented to the Governor for his approval.

Assembly Bill No. 489—Entitled "An Act to amend an Act entitled 'An Act to establish a

uniform system of county and township governments,' approved March 14, 1883, by amending section one hundred and sixty-two of said Act, relating to the classification of counties."

Assembly Bill No. 89—An Act to establish the California Home for the care and training of feeble-minded children, and provide for the maintenance of the same.

Assembly Bill No. 169—An Act amending an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section six hundred and thirty-four, relating to fish and game.

And the same were, at two o'clock and twenty minutes P. M., March 9, 1885, presented to the Governor for his approval.

Assembly Bill No. 421—Entitled an Act to amend sections one, four, five, and eight of an Act approved March 3, 1883, entitled "An Act to amend an Act entitled 'An Act to create Hastings College of the Law in the University of the State of California,'" approved March 26, 1878.

And the same was, at two o'clock and twenty-five minutes P. M., March 9, 1885, presented to the Governor for his approval.

Assembly Bill No. 37—Entitled "An Act making appropriations for the support of the Government of the State of California for the thirty-seventh and thirty-eighth fiscal years."

Assembly Bill No. 573—An Act to provide for the submission to the qualified electors of the State for their approval the amendment or amendments to the Constitution of the State of California, proposed by the Legislature thereof at its twenty-sixth session.

Assembly Bill No. 22—An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds and to pay certain claims out of the General Fund.

Assembly Bill No. 78—An Act supplementary to an Act entitled an Act to provide for the establishment and maintenance of a Mining Bureau, approved April 16, 1880.

And the same were, at four o'clock and five minutes P. M., March 7, 1885, presented to the Governor for his approval.

DALEY, Chairman.

MOTION.

Mr. Jordan moved that Assembly Bills Nos. 443, 444, and 445, be taken up for consideration.

So ordered.

THIRD READING OF BILLS.

Assembly Bill No. 443—An Act to amend section one thousand four hundred and ninety of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the meeting of the Board of Trustees of the State Normal School.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Corcoran, Culver, Davis, Douglas, Ellison, Franklin, French, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hussey, Jordan, Lafferty, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Reeves, Roseberry, Russ, Sullivan, Torrey, Van Voorhies, Watson of Alameda, Ward of Butte, Whitcomb, Wood, Woodward, and Mr. Speaker—51.

NOES—Mr. Munday—1.

Title approved.

Assembly Bill No. 444—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section one thousand five hundred and nine, relating to the branch State Normal School of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Buhlert, Carter of Conta Costa, Carter of Solano, Clark, Coleman, Corcoran, Culver, Daley, Davis, Douglas, Ellison, Firebaugh, Franklin, French, Gregory, Heath, Henry, Heywood, Hollister, Hussey, Jordan, Lafferty, Long, Loud, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Yule—50.

NOES—Messrs. Colby and Munday—2.

Title approved.

Assembly Bill No. 445—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section one thousand five hundred and eight, fixing the mileage to be allowed to the Board of Trustees of the State Normal School while attending the meetings of the Board.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Britt, Carter of Solano, Clark, Coleman, Corcoran, Culver, Davis, Deveny, DeWitt, Douglas, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Heywood, Hussey, Johnson, Jones, Jordan, Lafferty, Long, Loud, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Reeves, Roseberry, Russ, Torrey, Walrath, Whitcomb, Wood, Yule, and Mr. Speaker—50.

NOES—Messrs. Henry, Munday, Ward of Butte, Weaver, and Woodward—5.

Title approved.

MOTION.

Mr. McGlashan moved that Assembly Bill No. 449 be placed on the file.

Ruled out of order.

SPECIAL FILE—THIRD READING OF BILLS.

Senate Bill No. 251—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section eight hundred and sixty-two thereof, relative to the powers of the Boards of Trustees of cities of the sixth class.

Read third time.

By the unanimous consent of the House, the Clerk was authorized to insert the enacting clause.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Davis, Deveny, Douglas, Ellison, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hussey, Jones, Lafferty, Long, May, McDonald, McGlashan, McJunkin, McLean, Mears, Moffitt, Munday, Pellet, Pyle, Reeves, Russ, Torrey, Watson of Alameda, Ward of Butte, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—51.

NOES—Mr. Colby—1.

Title approved.

MOTION TO INTRODUCE A BILL.

Mr. May asked permission to introduce a bill under the constitutional provision requiring the consent of two thirds of the members of the Assembly.

The roll was called, and the House refused the permission by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Britt, Buhlert, Carter of Solano, Colby, Coleman, Cook, Corcoran, Culver, Davis, Deveny, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Long, Loud, May, McGlashan, McJunkin, Mears, Moffitt, Morris, Pellet, Roseberry, Russ, Swayne, Torrey, Van Voorhies,

Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Whitcomb, Wood, Woodward, and Mr. Speaker—44

NOES—Messrs. Ashe, Barnett, Carter of Contra Costa, Clark, Daley, DeWitt, Dooling, Douglas, Franklin, Goucher, Johnson, Lafferty, McDonald, McLean, McMurray, Munday, Patterson, Pyle, Reeves, Sullivan, Weaver, and Yule—22.

MOTION TO ADJOURN.

At eight o'clock P. M., Mr. Munday moved to adjourn.

The roll call was demanded by Messrs. Coleman, Jones, and Hollister.

The motion was lost by the following vote:

AYES—Messrs. Ashe, Banbury, Barnett, Carter of Contra Costa, Clark, Corcoran, Daley, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Goucher, Gregory, Hazard, Johnson, Lafferty, McDonald, McLean, McMurray, Munday, Patterson, Pyle, Reeves, Sullivan, Swayne, Torrey, Ward of San Francisco, Weaver, and Whitcomb—30.

NOES—Messrs. Allen, Almy, Barnes, Black, Britt, Buhlert, Carter of Solano, Colby, Coleman, Cook, Culver, Davis, Ellison, Firebaugh, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Long, Loud, McJunkin, Mears, Moffitt, Morris, Pellet, Roseberry, Russ, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, Woodward, and Yule—39.

MOTION.

Mr. Munday moved a call of the House.

The roll call was demanded by Messrs. Munday, Firebaugh, and Jordan.

The motion was lost by the following vote:

AYES—Messrs. Ashe, Barnett, Black, Carter of Contra Costa, Clark, Corcoran, Daley, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Goucher, Gregory, Hazard, Johnson, McDonald, McLean, McMurray, Munday, Patterson, Pyle, Reeves, Swayne, Watson of El Dorado, Weaver, Whitcomb, and Yule—29.

NOES—Messrs. Allen, Almy, Buhlert, Carter of Solano, Colby, Coleman, Cook, Culver, Firebaugh, Heath, Henry, Hollister, Hunt, Hussey, Jones, Jordan, Long, Loud, McGlashan, McJunkin, Mears, Moffitt, Morris, Pellet, Roseberry, Russ, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, and Woodward—33.

MOTION TO ADJOURN.

At eight o'clock and fifteen minutes P. M., Mr. Dooling moved to adjourn.

The roll call was demanded by Messrs. Munday, Dooling, and Pyle.

The motion was lost by the following vote:

AYES—Messrs. Ashe, Barnett, Carter of Contra Costa, Clark, Corcoran, Davis, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Goucher, Gregory, Hazard, Hussey, Johnson, Lafferty, McDonald, McLean, Munday, Patterson, Pyle, Reeves, Sullivan, Swayne, Torrey, Weaver, Whitcomb, and Yule—30.

NOES—Messrs. Allen, Almy, Banbury, Barnes, Black, Britt, Buhlert, Carter of Solano, Colby, Coleman, Cook, Culver, Ellison, Firebaugh, Heath, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Long, Loud, May, McGlashan, McJunkin, McMurray, Mears, Moffitt, Morris, Pellet, Roseberry, Russ, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—42.

MOTIONS.

Mr. Dooling moved a call of the House.

The roll call was demanded by Messrs. Munday, Dooling, and Hussey.

The motion was lost by the following vote:

AYES—Messrs. Ashe, Barnes, Barnett, Carter of Contra Costa, Corcoran, Daley, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Goucher, Gregory, Hazard, Hunt, Hussey, Johnson, Lafferty, McDonald, McLean, McMurray, Mears, Munday, Patterson, Pyle, Reeves, Sullivan, Swayne, Torrey, Ward of San Francisco, Weaver, Whitcomb, and Yule—34

NOES—Messrs. Allen, Almy, Banbury, Black, Britt, Buhlert, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Davis, Ellison, Firebaugh, Heath, Henry, Heywood, Hollister, Jones, Jordan, Long, Loud, May, McGlashan, McJunkin, Moffitt, Morris, Pellet, Roseberry, Russ, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, Woodward, and Mr. Speaker—37.

Mr. Jordan moved the previous question.

At eight o'clock and thirty minutes P. M., Mr. Munday moved to adjourn.

The roll call was demanded by Messrs. Munday, Ashe, and DeWitt.

The motion was lost by the following vote:

AYES—Messrs. Ashe, Barnett, Carter of Contra Costa, Corcoran, Daley, DeWitt, Dooling, Douglas, Franklin, French, Gregory, Hazard, Hussey, Johnson, Kalben, Lafferty, Long, McDonald, Munday, Patterson, Pyle, Reeves, Swayne, Ward of San Francisco, Weaver, and Whitcomb—26.

NOES—Messrs. Allen, Almy, Britt, Buhlert, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Davis, Ellison, Firebaugh, Heath, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Loud, McGlashan, McJunkin, Moffitt, Morris, Pellet, Roseberry, Russ, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, Woodward, and Mr. Speaker—37.

Mr. Munday moved a call of the House.

The roll call was demanded by Messrs. Reeves, Mears, and Hunt.

The motion was lost by the following vote:

AYES—Messrs. Ashe, Banbury, Barnett, Carter of Contra Costa, Clark, Corcoran, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Goucher, Gregory, Hazard, Johnson, Lafferty, McDonald, McLean, McMurray, Munday, Patterson, Pyle, Reeves, Sullivan, Swayne, Ward of San Francisco, Weaver, and Whitcomb—33.

NOES—Messrs. Allen, Almy, Barnes, Black, Britt, Buhlert, Carter of Solano, Colby, Cook, Culver, Davis, Ellison, Firebaugh, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Long, Loud, May, McGlashan, McJunkin, Mears, Moffitt, Morris, Pellet, Roseberry, Russ, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, Woodward, and Mr. Speaker—41.

Mr. Coleman rose and addressed the Chair, and was recognized. He called for the previous question, and before he took his seat, the Speaker ordered the roll called.

Mr. Munday was on the floor, desiring to make a motion, and he made the point of order that he should have been recognized.

The Speaker decided the point well taken, and gave him the floor.

He moved to adjourn.

Mr. Coleman appealed from the decision of the Chair.

Mr. Munday moved to lay the appeal on the table.

The roll call was demanded by Messrs. Munday, Barnett, and Ashe.

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

AYES—Messrs. Ashe, Banbury, Barnett, Buhlert, Carter of Contra Costa, Clark, Corcoran, Daley, Deveny, DeWitt, Dooling, Franklin, French, Goucher, Gregory, Hazard, Heath, Hunt, Hussey, Johnson, Lafferty, McDonald, McLean, McMurray, Munday, Patterson, Pyle, Reeves, Sullivan, Swayne, Weaver, Whitcomb, and Yule—33.

NOES—Messrs. Allen, Barnes, Black, Britt, Carter of Solano, Colby, Coleman, Cook, Culver, Davis, Douglas, Ellison, Firebaugh, Heywood, Hollister, Jones, Jordan, Long, Loud, McGlashan, McJunkin, Moffitt, Morris, Pellet, Roseberry, Russ, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, and Woodward—35.

Mr. Weaver moved to indefinitely postpone the appeal of Mr. Coleman.

The roll call was demanded by Messrs. Weaver, Pyle, and Ward of San Francisco.

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

AYES—Messrs. Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Clark, Corcoran, Daley, Deveny, DeWitt, Dooling, Franklin, French, Goucher, Gregory, Hazard, Heath, Hunt, Hussey, Johnson, Lafferty, May, McLean, McMurray, Munday, Patterson, Pyle, Reeves, Sullivan, Swayne, Weaver, Whitcomb, Yule, and Mr. Speaker—35.

NOES—Messrs. Allen, Almy, Britt, Carter of Solano, Colby, Coleman, Cook, Culver, Davis, Douglas, Ellison, Firebaugh, Henry, Heywood, Hollister, Jones, Jordan, Long, Loud, McGlashan, McJunkin, Mears, Moffitt, Morris, Pellet, Russ, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, and Woodward—34.

The question then being on the motion to adjourn, the roll call was demanded by Messrs. Munday, Daley, and Jones.

The motion was lost by the following vote:

AYES—Messrs. Almy, Ashe, Barnes, Barnett, Carter of Contra Costa, Clark, Corcoran, Daley, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Goucher, Gregory, Hazard, Hunt, Hussey, Johnson, Lafferty, May, McDonald, McLean, McMurray, Munday, Patterson, Pyle, Reeves, Sullivan, Swayne, Ward of San Francisco, Weaver, Whitcomb, and Yule—37.

NOES—Messrs. Allen, Almy, Banbury, Black, Britt, Carter of Solano, Colby, Coleman, Cook, Culver, Davis, Ellison, Firebaugh, Heath, Henry, Heywood, Hollister, Jones, Jordan, Long, Loud, McGlashan, McJunkin, Mears, Moffitt, Morris, Pellet, Roseberry, Russ, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, Woodward, and Mr. Speaker—35.

MOTION.

Mr. Weaver moved a call of the House.

The roll call was demanded by Messrs. Coleman, Munday, and Weaver.

The motion was lost by the following vote:

AYES—Messrs. Ashe, Banbury, Barnett, Buhlert, Carter of Contra Costa, Clark, Daley, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Goucher, Gregory, Hazard, Hunt, Hussey, Johnson, Lafferty, McDonald, McLean, McMurray, Munday, Patterson, Pyle, Reeves, Sullivan, Swayne, Ward of San Francisco, Weaver, and Whitcomb—33.

NOES—Messrs. Allen, Almy, Barnes, Black, Britt, Carter of Solano, Colby, Coleman, Cook, Culver, Davis, Ellison, Firebaugh, Henry, Heywood, Hollister, Jones, Jordan, Loud, McGlashan, McJunkin, Moffitt, Morris, Roseberry, Russ, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, Woodward, and Mr. Speaker—35.

MOTION.

At nine o'clock and ten minutes P. M., Mr. Munday moved to adjourn.

Mr. Jones rose to discuss the question, and was ruled out of order by the Speaker.

He appealed from the decision of the Speaker.

Mr. Munday moved to lay the appeal on the table.

The roll call was demanded by Messrs. Weaver, Ashe, and Barnett.

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

AYES—Messrs. Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Clark, Coleman, Corcoran, Daley, Deveny, Dooling, Douglas, Franklin, French, Gregory, Hazard, Hunt, Hussey, Lafferty, May, McDonald, McLean, McMurray, Munday, Patterson, Pyle, Reeves, Sullivan, Swayne, Weaver, and Whitcomb—32.

NOES—Messrs. Allen, Black, Britt, Carter of Solano, Colby, Cook, Culver, Davis, Ellison, Firebaugh, Goucher, Heath, Henry, Heywood, Hollister, Johnson, Jones, Jordan, Laughlin, Long, McGlashan, McJunkin, Mears, Moffitt, Morris, Pellet, Roseberry, Russ, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Yule—37.

Mr. Gregory moved to indefinitely postpone the appeal from the decision of the Speaker by Mr. Jones.

Mr. Hazard moved a call of the House.

Mr. Jones withdrew his appeal from the decision of the Speaker.

Mr. Coleman moved that when the House adjourns, that it adjourn until Tuesday, March 11, 1885, at eleven o'clock P. M.

Mr. Munday moved to amend the motion by making the time twelve o'clock P. M.

Mr. Coleman withdrew his motion by consent of the House.

The question being on the motion of Mr. Munday to adjourn, the roll was called, and the motion was lost by the following vote:

AYES—Messrs. Almy, Ashe, Banbury, Barnes, Barnett, Buhlert, Carter of Contra Costa, Clark, Corcoran, Daley, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Goucher, Gregory, Hazard, Heath, Hunt, Hussey, Johnson, Lafferty, McDonald, McLean, McMurray, Munday, Pyle, Reeves, Sullivan, Swayne, Weaver, Whitcomb, and Mr. Speaker—35.

NOES—Messrs. Allen, Black, Britt, Carter of Solano, Colby, Coleman, Cook, Culver, Davis, Ellison, Henry, Heywood, Hollister, Jones, Jordan, Long, Loud, May, McGlashan, McJunkin, Mears, Moffitt, Morris, Patterson, Pellet, Porter, Roseberry, Russ, Torrey, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, and Yule—37.

RESOLUTION—(OUT OF ORDER).

By Mr. Coleman:

Resolved by the Assembly, the Senate concurring, That this Legislature do adjourn sine die Tuesday, March 10, at 12 P. M.

Mr. Coleman moved the previous question.

The Speaker decided the motion out of order.

Mr. Firebaugh appealed from the decision of the Speaker.

Mr. Corcoran moved to lay the appeal on the table.

The roll was called, and the appeal was laid on the table by the following vote:

AYES—Messrs. Banbury, Barnett, Buhlert, Carter of Contra Costa, Corcoran, Daley, Deveny, DeWitt, Dooling, Douglas, Ellison, Franklin, French, Goucher, Gregory, Hazard, Hunt, Hussey, Johnson, Lafferty, McDonald, McGlashan, McLean, McMurray, Munday, Patterson, Pyle, Reeves, Russ, Sullivan, Swayne, Van Voorhies, Weaver, and Whitcomb—35.

NOES—Messrs. Allen, Almy, Ashe, Barnes, Black, Britt, Carter of Solano, Colby, Coleman, Cook, Culver, Firebaugh, Heath, Henry, Heywood, Hollister, Jones, Jordan, Loud, May, McJunkin, Mears, Moffitt, Morris, Pellet, Porter, Roseberry, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Wood, and Woodward—34.

ADJOURNMENT.

At nine o'clock and fifty minutes P. M., Mr. Munday moved to adjourn.

The roll call was demanded by Messrs. Munday, Firebaugh, and Dooling.

It was so ordered by the following vote:

AYES—Messrs. Ashe, Banbury, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Clark, Daley, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Goucher, Gregory, Hazard, Heath, Hunt, Hussey, Johnson, Lafferty, McDonald, McLean, McMurray, Munday, Porter, Pyle, Reeves, Sullivan, Swayne, Van Voorhies, Ward of San Francisco, Weaver, Whitcomb, Yule, and Mr. Speaker—39.

NOES—Messrs. Allen, Almy, Britt, Carter of Solano, Colby, Coleman, Cook, Culver, Davis, Ellison, Firebaugh, Henry, Hollister, Jones, Jordan, Long, Loud, May, McGlashan, McJunkin, Mears, Moffitt, Morris, Patterson, Pellet, Russ, Torrey, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, and Woodward—32.

Whereupon the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 10, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr Speaker.

Quorum present.

Prayer by the Chaplain.

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

So ordered.

Journal approved.

LEAVE OF ABSENCE.

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

REPORT OF SELECT COMMITTEE.

The committee of investigation into the affairs of the office of the Clerk of the Supreme Court presented two reports, a majority and minority report, as follows:

MAJORITY REPORT.

MR. SPEAKER: Your committee, appointed to investigate certain charges made by E. Leake against J. W. McCarthy, Clerk of the Supreme Court of the State, beg leave to submit the following report:

The charges made against said J. W. McCarthy may be summarized as follows:

1. That he caused to be written to his deputies a letter, in which he demanded of each the sum of three hundred dollars, to meet his election expenses.

2. That, besides items reported in the supplemental report in March, 1884, and hereinafter referred to, he has collected and embezzled a large amount of the money belonging to the State, and should now be compelled to pay the same into the State Treasury; and that some of the items making up the total of such amount embezzled, are the following:

January 16, 1883, disbarment of Goff, fee	$10 00
July 5, 1883, Hinds vs. Marmilego, copy of opinion	3 25
August 8, 1883, McCreary vs. Fulton, writ of error	71 50
February 24, 1883, Martin vs. Durand, filing papers	2 00
July, 31, 1883, Wright vs. Roseberry, filing papers	50
December 17, 1883, Campbell vs. Superior Court, collected for certificate and seal, $2 40; paid into the Treasury, $1; deficiency	1 40
January 23, 1884, St. Helena Water Company vs Forbes, fees collected, $3 75; paid into the State Treasury, $1, deficiency	2 75
November 22, 1883, De Laviego vs. Warren, fees collected, $1 50; paid into the Treasury, $1; deficiency	50
November 23, 1884, De Laviego vs. Warren, fees collected, $1 50; paid into the Treasury, $1; deficiency	50
January 23, 1884, Kenny vs. ——, fees collected, $1 90; paid into Treasury, $1 40, deficiency	50

Fee for writ of error, in case of Martin vs. Thompson 70 00
Fee for writ of error, in case of Reis vs. Lawrence 70 00

3. That the fee of seventy-one dollars and fifty cents, collected in the case of McCreary vs. Fulton, was properly entered upon the cash book in the Los Angeles office, but afterwards erased upon the order of McCarthy, and that it has never been accounted for.

4. That Mr. McCarthy destroyed certain reports furnished by his deputies, and made, or caused to be made, other reports, in which certain fees shown in the original reports were omitted.

5. That he instructed his deputy or deputies to erase from the fee book certain fees collected, all of which were proper charges and due the State.

6. That he has made and had allowed against the State and in his form items of expense, some of which have never been incurred by him, and others of which were in excess of the actual amount expended, the following being the items specified:

a. That in January, 1884, he came to Sacramento to make his monthly report, that he returned the same day, had but one meal in Sacramento, walked up from the depot and rode back on a street car, and charged the State as expenses of the trip, six dollars for hotel bill, and two dollars for hack hire.

b. That he charged the State six dollars fare from San Francisco to Sacramento and return, when it is only five dollars.

c. That he charged the State forty-three dollars railroad fare from San Francisco to Los Angeles and return, when a round trip ticket only cost forty-three dollars.

d. That one of his San Francisco deputies visited Sacramento in January, 1884, on private business, and that McCarthy charged and was allowed against the State for the trip thirteen dollars for hotel, hack, and railroad fare.

e That he charged and was allowed ten dollars for expressage on ten thousand dollars from Sacramento to San Francisco, while the records fail to show any such statement.

f. That he has charged and been allowed for subscription to newspapers, one of which, at least, he has never paid.

CHARGE SEVEN.

That from the time he assumed the duties of his office in January, 1883, until the —— day of March, 1884, he collected and failed to account therefor to the State, fees, amounting in the aggregate to the sum of two thousand one hundred and four dollars and fifty cents, and that he retained said fees to his own use, and did not intend to pay the same to the State, and would not have paid the same to the State if the Controller had not instituted an investigation of the affairs of his office. That upon the investigation being had, and the amount of the deficiency ascertained, he, in March, 1884, paid into the State Treasury the sum of two thousand one hundred and four dollars, thereto omitted from his monthly statements.

Your committee, in the investigation of the charges above specified, have had submitted to them a large amount of oral and documentary testimony, and from a careful consideration of the same, submit the following as their conclusions, considering the charges in the order above stated.

1.

That Mr. McCarthy did not cause to be written to his deputies a letter in which he demanded of each, or any of them, the sum of three hundred dollars, with which to meet his election expenses.

That a letter was written to each of the other deputies by the deputy Williams, requesting them to contribute, each the sum of three hundred dollars, towards defraying Mr. McCarthy's election expenses. That this letter was written without the knowledge of McCarthy, and he knew nothing of it until the clerks presented him a sum of money as a voluntary contribution towards defraying his election expenses.

2.

That all the items contained in specification two were explained by Mr. McCarthy to the satisfaction of your committee, and the amounts properly due the State therefor have been accounted for and paid to the State Treasurer.

3.

That Mr. McCarthy did not, at any time, instruct any of his deputies to erase from the cash book of the Los Angeles office the fee of seventy-one dollars and fifty cents in the case of McCreary vs. Fulton, nor any part thereof, and said fee was not erased from said book, or any book, and that said fee has been accounted for and paid into the State Treasury.

4.

That Mr. McCarthy did not destroy any reports made by his deputies, except as follows: He received from his deputy in Los Angeles, and also from his deputy in San Francisco, reports of fees made out in pencil, and sometimes informal. These he copied in making his monthly report to the Controller, and after copying, destroyed, or at least, did not preserve the reports furnished him by his deputy. There was no evidence introduced to sustain the charge, that in the reports so made by Mr. McCarthy he omitted fees shown in the report furnished by his deputies.

5.

That he never instructed any deputy or deputies to erase from the fee book certain or any fees collected, but on the contrary, instructed them all to keep accurate account of all fees collected.

6.

That the charges contained in specification six were all satisfactorily explained to your committee, and the evidence shows that in no instance has any improper or overcharge been made against the State by Mr. McCarthy.

7.

In regard to the fees omitted from monthly reports and contained in the supplemental report filed in March, 1884, the facts as shown by the testimony were as follows: Mr. McCarthy assumed the duties of his office as Clerk of the Supreme Court in January, 1883. He thereupon appointed as one of his deputies his brother-in-law, J. S. Kilsby, and among other duties assigned to him he was to keep the financial accounts of the San Francisco office. He had the combination of the safe, and kept the accounts of money received. This position he held until in March, 1884. During the period above named, the books of the San Francisco office were kept in an unbusinesslike manner, and with a negligence that was almost criminal. No cash book was kept, nor any memorandum of the moneys received in any book by which it could be ascertained how much cash there was or should be in the safe belonging to the State. When it was necessary to prepare a monthly statement of fees collected, the only way to do was to examine the various books of the office, that were not intended as books in which to keep financial accounts, such as register of accounts, remittitur book, roll of attorneys, etc.

The only book in which any attempt was made to keep account of fees collected was a book denominated a "desk blotter," in which memoranda of various matters and of some fees collected were entered. But from the testimony of Kilsby, this book did not alone, at any time, furnish sufficient information from which to make a report of moneys collected and due the State.

After this unbusinesslike and reckless system had been continued for more than a year, the attention of the Controller was called to the fact that all the fees collected by the Clerk of the Supreme Court had not been accounted for in the monthly report filed, nor paid into the State Treasury. He at once commenced an investigation, and with the help of McCarthy and his deputies, who rendered him all the assistance they could, discovered that there was unaccounted for and due the State fees amounting to two thousand one hundred and four dollars and fifty cents. This amount was at once included in a supplemental report, and paid into the State Treasury.

The question suggested itself to the committee, "Why were not the items making up the two thousand one hundred and four dollars and fifty cents included in their appropriate monthly reports?" The testimony showed that in making up the monthly reports, McCarthy did not, at any time, examine the books of the office personally. He would request the bookkeeper, Kilsby, to give him a memorandum of fees for the month collected in the San Francisco office and in the Los Angeles office. This memorandum, informal and written in pencil, would be furnished, and McCarthy, on reaching Sacramento, would copy it upon a blank form, sign it, and file it with the Controller, and pay the amount shown thereby to be due.

With such a system of bookkeeping as prevailed, it is not surprising that some errors should have occurred, but we are unable to believe that so many items as were omitted from the various monthly reports could have been the result of mistakes merely.

We believe that Kilsby left out of the reports the larger portion of the items intentionally, and for the purpose of defrauding the State.

Were these omissions made with the knowledge or consent of McCarthy? The evidence showed that he did not examine the books at all for himself; that in making up the reports he trusted entirely to the memoranda furnished him by Kilsby; and the evidence does not satisfy us that before the investigation by the Controller was made he (McCarthy) was aware of the facts that the monthly reports filed by him were incorrect.

That he was guilty of the grossest negligence and carelessness in the matter of keeping accounts of fees collected, and in not examining the books for himself, does not admit of a doubt; but that he willfully withheld any part of such fees is not satisfactorily shown by the testimony.

We are further of opinion, that various monthly reports filed by McCarthy, and the supplemental report filed March 10, 1884, together, contain a full and correct statement of all fees collected by him, and the same have been paid into the State Treasury.

Respectfully submitted.

JOHN F ELLISON.
C. T. JONES.
G. G. GOUCHER.

MINORITY REPORT.

MR. SPEAKER: The minority of your committee, appointed to investigate the affairs of J. W. McCarthy, Clerk of the Supreme Court, beg leave to herewith present their report:

CHARGE ONE.

As to charge one, your committee find that letters were written to all the deputies by the deputy Williams, requesting each of them to pay to Mr. McCarthy the sum of three hundred

dollars, with which to defray the expenses of his election. That these letters were written by the deputy Williams, without the knowledge, or consent, or request, of Mr. McCarthy, and he knew nothing about the same having been written until the money was presented to him, which he accepted as a present from his deputies.

CHARGE EIGHT.

As to charge eight, it appears from the testimony that Messrs. McKune and George made a copy of a transcript in the case of Myer vs. Brown themselves, and presented it to Mr. McCarthy for his certificate and seal as to its correctness, that, without comparing the copy with the original records, he put his certificate and seal to it, and being at that time in doubt as to whether he was entitled to charge for making the copy, as well as for the certificate and seal, he received the sum of fifteen dollars (one dollar of which, the fee for certificate and seal, he paid into the State Treasury at that time), the total fee for copying, comparing, and certifying to the document, intending to investigate the matter, and if he concluded from such investigation that the money was improperly collected from McKune and George, to return to them the fourteen dollars, and if not, to pay it into the State Treasury; but before he had arrived at a conclusion as to what to do with the fourteen dollars, the investigation commenced, and he then awaited the result of the investigation, and paid the money into the State Treasury in the supplemental report.

CHARGE FIFTEEN.

The charges embraced in specifications numbered fourteen and fifteen were satisfactorily explained to the committee, and therefore we find that the same are not sustained by the testimony.

CHARGE SIXTEEN.

As to the charge that a writ of error has been issued in the case of Martin vs. Thompson, and that the fee for the same has not been paid into the State Treasury, we find that Mr. McCarthy, in his supplemental report, accounted to the State for a fee for a writ of error in a case therein named as Martin vs. Duran, and that the case of Martin vs. Duran, appearing in the supplemental report, should have been entered as Martin vs. Thompson.

As to the charge that he collected and failed to pay into the treasury a fee for a writ of error in the case of Reis vs. Lawrence, we find that the transcript was prepared by the Clerk in that case, presented to the attorney for the appellant, and that he refused, and has ever since refused, to take said transcript, or pay the fee due the Clerk therefor, and the transcript still remains in his office, and no money has ever been collected for the same.

CHARGE SEVENTEEN.

The explanation given as to the charge of seventy-one dollars and fifty cents, collected in the case of McCreary vs. Fulton, was entirely satisfactory, and exonerates Mr. McCarthy.

CHARGES EIGHTEEN, NINETEEN, TWENTY, TWENTY-ONE, TWENTY-TWO, AND TWENTY-THREE.

That with reference to charges eighteen, nineteen, twenty, twenty-one, twenty-two, and twenty-three, we find that the explanation with reference thereto is satisfactory, and therefore say that there was no culpability on the part of the Clerk of the Supreme Court in regard to said charges.

Regarding the charges not enumerated above, we find as follows: Commencing with his incumbency in office as Clerk of the Supreme Court, McCarthy, whether intentionally or otherwise, we are unable to determine, kept his books in such a manner that the fees belonging to the State could not be ascertained without an elaborate examination of all the records of his office, that no cash book or other memorandum was kept during the time whereby it could be ascertained; that in his reports to the Controller of the amount received, he did not file the original accounts given to him by his various deputies, but took copies of such reports as were made to him, and destroyed or lost the originals which were given to him, and is unable to produce said original reports, and we have been unable to compare the reports of his deputies, which were given him, to ascertain where the omissions take place.

Mr. McCarthy, in reporting the receipts of the cash of the San Francisco office, never took this copy from the original desk blotter, but always had Kilsby make a pencil memorandum of so much of the receipts of the office as he and Kilsby desired to include in his monthly statement to the Controller. At no time did McCarthy take from this desk blotter himself the amount of the items of cash, and we have been unable to ascertain why the account was not taken from the original book itself.

It appears that during this time the moneys belonging to the State, which were not paid over by McCarthy every month, were accumulating in McCarthy's own safe, according to his own testimony and that of Kilsby; that this money accumulated in amount until it aggregated the sum of two thousand one hundred and four dollars and fifty cents, and Mr. McCarthy testifies that every cent of this money was in the safe from the time it was paid to his deputies until the payment by him of the amount to the State, March 10, 1884. When he was informed, in Sacramento, prior to the investigation which resulted in the supplemental report, that he was behind in his accounts to the State, no intimation or mention was made by him of the fact that he had over two thousand dollars in his safe belonging to the State.

While it is true that Mr. McCarthy offered every facility in the examination of the records of his office, which were public, he never intimated or suggested to the Controller, or the expert employed by the Controller, that there was money in his safe belonging to the State—never suggested to them that the amount on hand in his possession belonging to the State might facilitate their investigation in ascertaining that amount.

Thus it will appear that there was an absolute suppression of the fact that there was a large amount of money, over two thousand dollars in amount, in the possession of Clerk McCarthy, and the question presents itself, whether a knowledge of the fact was confined to Mr. Kilsby alone.

We are of opinion that a knowledge of that fact was known to Mr. McCarthy, as well as to Mr. Kilsby, from the facts proved, and also from the fact that he testified that this money was put into his own safe; from the fact that he personally gave the report to the Controller every month, and swore each month that it was a full and correct account of the cash received by him, and from the fact that he had absolute control over the affairs of his own office.

FRANK J. MOFFITT, Chairman.
H. P. HAZARD.

The following resolutions were adopted, viz.:

Resolved, That the sum of twenty dollars be and the same is hereby ordered paid to H. McCausland out of the Contingent Fund of the Assembly, for clerical work performed for four days for the committee on investigation, in the case of Leake vs. McCarthy, Clerk of the Supreme Court, and that the Controller of State be and he is hereby authorized and directed to draw a warrant for the same.

Resolved, That the Chief Clerk be required to have printed, by the State Printer, five hundred copies of the majority and minority reports, respectively, of the committee appointed for the investigation of the affairs of the Clerk of the Supreme Court, and the Sergeant-at-Arms is hereby required to distribute the same to the members of the Assembly.

Resolved, That the sum of two hundred and ten dollars is hereby appropriated out of the Contingent Fund of the Assembly, for the payment of N. H. Peterson, as phonographic reporter, for services rendered to the McCarthy investigating committee since March 4, 1885, in full for all services rendered, both per diem and transcription, and the Controller is hereby ordered to draw his warrant on the Contingent Fund of the Assembly for the payment of the same.

Mr. Hazard moved that the longhand notes of the proceedings in the McCarthy investigation be filed with the Secretary of State, by the shorthand reporter.

So ordered.

REPORT OF STANDING COMMITTEE.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1885.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bills Nos. 470, 196, 332, and Assembly Petitions—introduced by Mr. McLean, relative to instructions in temperance in our public schools—have had the same under consideration, and respectfully report the same back, without recommendation.

JORDAN, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 9, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 478—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section one thousand one hundred and ninety, relating to the payment of election rewards.

Also, Assembly Bill No. 272—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section, numbered three hundred and thirty-seven, for the punishment of certain persons who encourage gaming.

Also, Assembly Bill No. 362—An Act authorizing the Board of Supervisors of any county, or any subdivision of a county, having a bonded debt, to refund such debt at a less rate of interest.

Also, has amended and passed Assembly Bill No. 502—An Act to promote drainage.

And respectfully ask the concurrence of your honorable body therein.

Also, have refused passage to Assembly Bill No. 62—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883.

Also, adopted Assembly Concurrent Resolution No. 8—Relative to the forfeiture of unearned railroad land grants.

Also, passed Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide

for the organization, incorporation, and government of municipal corporations," approved March 13, 1883

Also, Assembly Bill No. 47—An Act amending section one thousand one hundred and seventy-three of the Code of Civil Procedure, relating to amendment of pleading and to procedure in forcible entry and unlawful detainer actions.

Also, Assembly Bill No. 49—An Act to amend section one thousand one hundred and sixty-four of the Code of Civil Procedure, relating to parties defendant and proceedings in summary proceedings for obtaining possession of real property in certain actions.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 47.

AMENDMENT NUMBER ONE.

Amend bill, so as to read as follows:

An Act to amend section one thousand one hundred and seventy-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to amendment of pleadings and to procedure in forcible entry and forcible and unlawful detainer.

AMENDMENT NUMBER TWO.

Insert, after the word "be," on line seven, the word "made."

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Jones, Jordan, Kalben, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Pellet, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Wood, Woodward, and Mr. Speaker—62.

NOES—None.

Title approved.

Assembly Bill No. 49 was taken up, and the Senate amendments considered.

AMENDMENT NUMBER ONE.

Amend title, to read:

An Act to amend section one thousand one hundred and sixty-four of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to parties defendant, and procedure in summary proceedings for obtaining possession of real property in certain cases.

AMENDMENT NUMBER TWO.

Amend, by changing the word "where," after the words "have been made party defendant; but," and insert the word "when."

AMENDMENT NUMBER THREE.

Amend, by striking out section two.

The amendments were concurred in by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Henry, Heywood, Hollister, Hunt, Jordan, Kalben, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McMurray, Morris, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Whitcomb, Wood, Woodward, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 502 was taken up, and Senate amendments considered.

AMENDMENT NUMBER ONE.

Strike out, in section seven, line three, the words "the water rights needed."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Coleman, Cook, Corcoran, Davis, Deveny, DeWitt, Dooling, Ellison, Firebaugh, Franklin, French, Gregory, Hazard, Heywood, Hollister, Hunt, Jordan, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Pellet, Roseberry, Swayne, Torrey, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Whitcomb, Wood, Woodward, and Mr. Speaker—50.

NOES—None.

MOTION.

Mr. Munday moved that the House take a recess until two o'clock P. M.

Mr. Firebaugh moved a call of the House.

Lost.

The question then being on the motion of Mr. Munday, the roll call was demanded by Messrs. Munday, DeWitt, and Coleman, and it was so ordered by the following vote:

AYES—Messrs. Ashe, Banbury, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Corcoran, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Franklin, French, Goucher, Gregory, Hazard, Hunt, Hussey, Kalben, Lafferty, Lovell, May, McDonald, McMurray, Munday, Pyle, Reeves, Sullivan, Swayne, Torrey, Ward of San Francisco, Weaver, Whitcomb, and Mr. Speaker—37.

NOES—Messrs. Almy, Barnes, Black, Britt, Colby, Coleman, Culver, Ellison, Firebaugh, Henry, Heywood, Hollister, Jordan, Laughlin, Long, Loud, McGlashan, McJunkin, McLean, Mears, Morris, Patterson, Pellet, Porter, Roseberry, Russ, Van Voorhies, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, Woodward, and Yule—33.

REASSEMBLED.

The House reassembled at two oclock P. M.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Ellison, Firebaugh, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McMurray, Mears, Morris, Munday, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

INTRODUCTION OF BILL.

Mr. May asked permission to introduce a bill under the constitutional provision requiring the consent of two thirds of the members of the Assembly.

The roll was called, and the House granted permission by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, Douglas, Ellison, Firebaugh, Franklin, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean,

McMurray, Mears, Morris, Munday, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—62.

NOES—Messrs. Ashe, Barnett, Clark, DeWitt, Dooling, and Goucher—6.

MATTER OF URGENCY.

Mr. May moved, that in accordance with the provisions of the Constitution, Assembly Bill No. 578—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to levy of taxes—be made a matter of urgency, and that the provisions of the Constitution requiring the reading of the bill on three separate days be suspended, and that the bill be put upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, Douglas, Ellison, Firebaugh, Franklin, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—62.

NOES—Messrs. Ashe, Barnett, Clark, DeWitt, Dooling, and Goucher—6.

Bill read first time, and ordered to second reading.

Bill read second time.

Mr. May moved that the rules be suspended, and that the bill be considered engrossed, and that it be read third time, and put upon its passage.

So ordered.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, May, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Swayne, Torrey, Van Voorhies, Walrath, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—65.

NOES—Mr. Barnett—1.

Title approved.

MOTION TO RECONSIDER.

Mr. Yule moved to reconsider the vote whereby a motion that Assembly Bill No. 403 be returned to the Senate with the request that they recede from their amendments, was carried.

Mr. Porter moved to lay the motion to reconsider on the table.

So ordered.

INTRODUCTION OF BILL.

Mr. May asked permission to introduce a bill under the constitutional provision requiring the consent of two thirds of the members of the Assembly.

The roll was called, and the House granted permission by the following vote:

AYES—Messrs. Allen, Almy, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Deveny, DeWitt, Douglas, Firebaugh,

Franklin, Goucher, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—61.

NOES—Mr. Roseberry—1.

MATTER OF URGENCY.

Mr. May moved, that in accordance with the provisions of the Constitution, Assembly Bill No. 579—An Act making an appropriation for the deficiency in the appropriation for official advertising for the thirty-sixth fiscal year—be made a matter of urgency, and that the provisions of the Constitution requiring the reading of the bill on three separate days be suspended, and that the bill be put upon its passage.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs Allen, Almy, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Deveny, DeWitt, Douglas, Firebaugh, Franklin, Goucher, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, McMurray, Mears, Moffitt, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Swayne, Torrey, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—61.

NOES—Mr. Roseberry—1.

Bill read first time, and ordered to second reading.

Bill read second time.

Mr. May moved that the rules be suspended, and that the bill be considered engrossed, and that it be read third time, and put upon its passage.

So ordered.

Bill read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Almy, Banbury, Barnes, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, Douglas, Firebaugh, Goucher, Gregory, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Lovell, May, McDonald, McJunkin, McLean, McMurray, Mears, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, and Mr. Speaker—53.

NOES—Messrs. McGlashan, Roseberry, and Woodward—3.

Title approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled:

Assembly Bill No. 85—Entitled "An Act to facilitate the giving of bonds required by law."

Assembly Bill No. 312—An Act to amend section two hundred and seventy-four of the Code of Civil Procedure.

Assembly Bill No. 35—An Act adding a new section to the Civil Code, numbered four hundred and fifty-one

Assembly Bill No. 111—An Act amending section three hundred and thirty of the Penal Code, to prohibit gaming.

Assembly Bill No. 564—An Act amending section one thousand two hundred and seventy-six of the Code of Civil Procedure.

Assembly Bill No. 67—An Act to insure the better education of practitioners in dental surgery.

Assembly Bill No. 472—An Act to provide for the appointment of Supreme Court Commissioners.

Assembly Bill No. 327—An Act adding a new section to the Civil Code, to be known as section six hundred and three.

Assembly Bill No. 252—An Act adding a new title to the Civil Code, to read as follows: Title seventeen—Colleges and Seminaries of Learning.

Assembly Joint Resolution No. 1—Authorizing the publication of reports and maps prepared by the State Engineer.

And the same were, at eleven o'clock and forty minutes A. M., March 10, 1885, presented to the Governor for his approval.

Assembly Bill No. 448—Entitled "An Act to pay the claim of P. J. O'Connor for services as architect of work done in the erection of the Napa State Asylum for the Insane."

Assembly Bill No. 112—An Act to enable John Hoagland and others to sue the State of California.

Assembly Bill No 545—An Act to amend section eight hundred and sixty-five of the Penal Code, in relation to taking testimony in criminal cases, and to provide for the fees to be paid therefor.

Assembly Bill No. 153—An Act to secure the wages of persons employed as laborers on thrashing machines.

And the same were, at nine o'clock and twenty minutes A. M., March 10, 1885, presented to the Governor for his approval

Assembly Bill No 75—Entitled "An Act to amend section three hundred and four of the Civil Code, relating to corporations."

Assembly Bill No. 32—An Act adding a new section to the Political Code, to be known as section nine hundred and eighty-seven, relating to the lien created by filing notice of pendency of action against the owner.

Assembly Concurrent Resolution No. 8—Relative to the forfeiture of unearned railroad lands.

Assembly Bill No. 313—Entitled "An Act amending the Code of Civil Procedure, by adding a new section thereto, numbered one thousand six hundred and sixty-four, in relation to heirship to the estates of deceased persons."

Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 478—An Act to amend section one thousand one hundred and ninety of the Political Code.

Assembly Bill No. 272—An Act to amend the Penal Code, by adding a new section, to be known as section three hundred and thirty-seven, to punish gaming.

Assembly Bill No. 311—An Act to authorize the appointment of an interpreter of the Italian language in criminal proceedings.

Assembly Bill No. 295—An Act to amend sections three thousand four hundred and ninety-five and three thousand five hundred of the Political Code, in relation to the sale of State school lands.

And the same were, at two o'clock and fifty minutes P. M., March 10, 1885, presented to the Governor for his approval.

DALEY, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 9, 1885.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 290—Entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art."

Also, Assembly Bill No. 562—Entitled "An Act to provide for the grading and graveling of that portion of N Street between Tenth and Fifteenth Streets, in the City of Sacramento, adjoining the State Capitol grounds, and to provide for the payment of the same."

Also, Assembly Bill No. 213—Entitled "An Act making an appropriation to pay the cost and expenses of a suit in which the State was a party against C. D. Bunker, Commissioner of Immigration"

Also, Assembly Bill No. 3—Entitled "An Act to determine the amount and provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years."

Also, Assembly Bill No. 4—Entitled "An Act to determine the amount and to provide for the payment of a deficiency in the support of the State Prison at San Quentin for the thirty-fifth and thirty-sixth fiscal years"

Also, Assembly Bill No 167—Entitled "An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at San Quentin for the thirty-sixth fiscal year."

Also, Assembly Bill No. 292—Entitled "An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fourth fiscal year."

Also, Assembly Bill No. 350—Entitled "An Act to authorize the construction and leasing of a hotel in the Yosemite Valley, and to appropriate money therefor."

Also, Assembly Bill No. 168—Entitled "An Act making an appropriation for the establish-

ment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin.

Also, Assembly Bill No. 572—Entitled "An Act to appropriate money for the purpose of assisting to defray the expenses of a public nature incident to the holding of a National Encampment of the Grand Army of the Republic in this State."

Also, Assembly Bill No 22—Entitled "An Act authorizing the Board of Supervisors of Humboldt County to transfer certain funds and to pay certain claims out of the General Fund."

GEORGE STONEMAN, Governor.

Also the following:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 10, 1885.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 236—An Act making an appropriation for the deficiency in the appropriation for the purchase of jute at the State Prison, San Quentin, for the thirty-third fiscal year

Also, Assembly Bill No. 346—An Act making appropriation for a deficiency in the appropriation for salary of Secretary, and completion of State Engineer's report and maps on irrigation, for the thirty-fourth fiscal year.

Also, Assembly Bill No. 227—An Act making an appropriation for the deficiency in the appropriation for traveling expenses of Railroad Commissioners, for the thirty-fourth fiscal year.

Also, Assembly Bill No. 102—An Act making an appropriation for the deficiency in the appropriation for contingent expenses of State Board of Equalization for the thirty-fourth fiscal year.

Also, Assembly Bill No. 92—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fourth fiscal year.

Also, Assembly Bill No. 138—An Act making an appropriation for the deficiency in the appropriation for transportation of prisoners for the thirty-fifth fiscal year.

Also, Assembly Bill No. 235—An Act making an appropriation for the deficiency in the appropriation for stationery, fuel, lights, etc., State Capitol building, for the thirty-third fiscal year.

Also, Assembly Bill No. 100—An Act making an appropriation for the deficiency in the appropriation for copying maps in office of the Surveyor-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 291—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Prison at Folsom for the thirty-fifth fiscal year

Also, Assembly Bill No. 161—An Act to provide for the deficiency in the appropriation "for salary of Clerk of Supreme Court," during the thirty-fourth fiscal year.

Also, Assembly Bill No 96—An Act making an appropriation for the deficiency in the appropriation for support of Insane Asylum at Napa for the thirty-fourth fiscal year.

Also, Assembly Bill No 90—An Act making an appropriation for the deficiency in the appropriation for arrest of criminals outside the limits of the State for the thirty-fourth fiscal year.

Also, Assembly Bill No. 77—An Act making appropriation for a deficiency in the appropriation for traveling expenses of the State Board of Equalization for the thirty-fifth fiscal year.

Also, Assembly Bill No. 76—An Act making appropriation for a deficiency in the appropriation for the salary of the Clerk of the State Board of Equalization for the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No. 97—An Act making an appropriation for the deficiency in the appropriation for the support of the State Prison at San Quentin for the thirty-fourth fiscal year

Also, Assembly Bill No 98—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in office of the Surveyor-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 455—An Act making an appropriation for the deficiency in the appropriation for official advertisements for the thirty-sixth fiscal year.

Also, Assembly Bill No. 95—An Act making appropriation for the deficiency in the appropriation for support of Insane Asylum at Stockton for the thirty-fourth fiscal year.

Also, Assembly Bill No. 91—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-fourth fiscal year.

Also, Assembly Bill No. 103—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses in office of Clerk of Supreme Court for the thirty-fourth fiscal year.

Also, Assembly Bill No. 233—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in State Library for the thirty-third fiscal year.

Also, Assembly Bill No. 201—An Act making an appropriation for the deficiency in the appropriation for payment of rewards offered by the Governor for the thirty-first fiscal year.

Also, Assembly Bill No. 234—An Act making an appropriation for the deficiency in the appropriation for rent, printing, and contingent expenses of Insurance Commissioner for the thirty-third fiscal year.

Also, Assembly Bill No. 133—An Act making an appropriation for the deficiency in the appropriation for salary of Guardian of Yosemite Valley for the thirty-fifth fiscal year.

Also, Assembly Bill No. 132—An Act making an appropriation for the deficiency in the appropriation for restoration and preservation of fish in the waters of the State for the thirty-fifth fiscal year.

Also, Assembly Bill No. 99—An Act making an appropriation for the deficiency in the appro-

priation for postage and contingent expenses in the office of the Attorney-General for the thirty-fourth fiscal year.

Also, Assembly Bill No. 230—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-third fiscal year.

Also, Assembly Bill No 101—An Act making an appropriation for the deficiency in the appropriation for postage and expressage in office of Superintendent of Public Instruction for the thirty-fourth fiscal year.

Also, Assembly Bill No. 232—An Act making an appropriation for the deficiency in the appropriation for furnishing State Normal School, San José, for thirty-third fiscal year.

Also, Assembly Bill No. 129—An Act making an appropriation for the deficiency in the appropriation for transportation of insane for the thirty-fifth fiscal year.

Also, Assembly Bill No. 125—An Act making an appropriation for the deficiency in the appropriation for continuing special investigation in agricultural department of State University for the thirty-fifth fiscal year

Also, Assembly Bill No. 202—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirtieth fiscal year.

Also, Assembly Bill No. 575—An Act to provide for the per diem of members of the Assembly for the twenty-sixth session of the Legislature.

Also, Assembly Bill No. 231—An Act making an appropriation for the deficiency in the appropriation for education and care of deaf, dumb, and blind for the thirty-third fiscal year.

Also, Assembly Bill No. 207—An Act making an appropriation for the deficiency in the appropriation for water for irrigation, purchase of hose, etc., for Capitol grounds for thirty-second fiscal year.

Also, Assembly Bill No. 205—An Act making an appropriation for the deficiency in the appropriation for official advertising for the thirty-second fiscal year

Also, Assembly Bill No. 199—An Act making an appropriation for the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code Civil Procedure, for the thirty-second fiscal year

Also, Assembly Bill No. 124—An Act making an appropriation for the deficiency in the appropriation for postage and contingent expenses of Supreme Court for the thirty-fifth fiscal year.

Also, Assembly Bill No. 131—An Act making an appropriation for the deficiency in the appropriation for support of State Insane Asylum at Stockton for the thirty-fifth fiscal year.

Also, Assembly Bill No. 206—An Act making an appropriation for the deficiency in the appropriation for repairs to State Capitol building and furniture for the thirty-first fiscal year.

Also, Assembly Bill No. 229—An Act making an appropriation for the deficiency in the appropriation for pay of Stenographer to Railroad Commission for the thirty-fourth fiscal year.

Also, Assembly Bill No. 123—An Act to provide for the deficiency in the appropriation "for the expenses of the Supreme Court, which may be incurred under section forty-seven of the Code of Civil Procedure" during the thirty-fifth and thirty-sixth fiscal years.

Also, Assembly Bill No 93—An Act making an appropriation for the deficiency in the appropriation for purchase of Supreme Court Reports for the thirty-fourth fiscal year.

Also, Assembly Bill No. 222—An Act to amend an Act approved January 14, 1868, entitled "An Act to amend an Act entitled 'An Act to provide for the formation of chambers of commerce, boards of trade, mechanic institutes, and other kindred protective associations,'" approved March 31, 1866.

Also, Assembly Bill No. 458—An Act to amend section five hundred and eighty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 12, 1872, relating to the dismissal of actions.

Also, Assembly Bill No. 20—An Act to subject certain reclamation districts in the State to the provisions of the Political Code.

Also, Assembly Bill No 576—An Act to provide for a Contingent Fund for the Assembly for the twenty-sixth session of the Legislature.

Also, Assembly Bill No. 221—An Act to appropriate money to pay the indebtedness incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Also, Assembly Bill No 156—An Act to appropriate the sum of thirty-four thousand four hundred and nineteen dollars and forty cents, to pay the amount found by the Sixth Judicial Court to be due M Miles and his sureties for work done under contract in building the State Prison at Folsom.

Also, Assembly Bill No. 37—An Act making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years, with the exception of one item therein, to which I object, and refer you to the accompanying veto message.

GEORGE STONEMAN, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 10, 1885.

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 making appropriations for the support of the government of the State of California for the thirty-seventh and thirty-eighth fiscal years," with the exception of the following item on the eighth page thereof, to which I object, and disapprove, viz.: "For the erection and furnishing two

infirmaries at Napa, fifty thousand dollars." I suppose this item is intended to provide for the payment for the erection of two infirmaries at the Napa Insane Asylum. Without discussing the proposition of whether the insertion of such an item in the General Appropriation Bill would authorize the erection of the building without other and further legislation upon the subject, I find other grounds of objection to the item, which I will proceed to state. The Legislature at its present session has provided for the erection of an asylum or hospital for the chronic insane, which bill has been approved by the Executive. The sum of two hundred and fifty thousand dollars had been appropriated for the erection of said building. When the building provided for is completed the crowded condition of the Stockton and Napa Asylums will be relieved, and I see no necessity for the erection of the two infirmaries at the Napa Asylum. For these reasons, I object to and disapprove of the item above set forth.

GEORGE STONEMAN,
Governor of the State of California.

CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Barnes:

WHEREAS, There is now in the hands of the Attorney-General nearly five hundred thousand dollars paid to him by the railroad corporations of the State on account of taxes due from them to the State, and whereas, he is not the officer made by the Constitution or laws the custodian of public funds; therefore, be it

Resolved by the Assembly, the Senate concurring, That the said Attorney-General be and is directed to pay the same into the State Treasury, and the Controller and Treasurer of the State are hereby ordered and required to receive the same as part payment on account of said taxes

The roll call was demanded by Messrs. Barnes, Munday, and Coleman.

The resolution was adopted by the following vote:

AYES—Messrs. Almy, Barnes, Barnett, Britt, Buhlert Carter of Contra Costa, Carter of Solano, Clark, Colby, Cook, Corcoran, Culver, Daley, Davis, Deveny, Douglas, Firebaugh, Franklin, Hazard, Heath, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Patterson, Pellet, Porter, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—57.

NOES—Messrs. Black, Coleman, DeWitt, Dooling, Goucher, Munday, Roseberry, and Watson of El Dorado—8.

MOTION.

Mr. Morris moved that Senate Bill No. 134 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 134—An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Culver, Daley, Davis, Deveny, Dooling, Douglas, Firebaugh, Franklin, Goucher, Hazard, Heywood, Hollister, Hunt, Hussey, Jones, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McMurray, Mears, Morris, Munday, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Watson of Alameda, Watson of El Dorado, Ward of Butte, Whitcomb, Wood, Woodward, and Mr. Speaker—57.

NOES—None.

Title approved.

CONSIDERATION OF GOVERNOR'S MESSAGE.

The veto of the Governor of the item in Assembly Bill No. 37, viz.: "For the erection and furnishing two infirmaries at Napa, fifty thousand dollars," was read, and the roll was called on the question, "Shall the bill become a law notwithstanding the Governor's veto?"

The Governor's veto was sustained, by the following vote:

AYES—Mr. Porter—1.

NOES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Black, Britt, Buhlert, Carter of Contra Costa, Clark, Coleman, Cook, Corcoran, Culver, Davis, Deveny, Dooling, Douglas, Ellison, Firebaugh, Franklin, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Hussey, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McLean, McMurray, Mears, Morris, Munday, Pellet, Pyle, Reeves, Roseberry, Russ, Sullivan, Swayne, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Weaver, Whitcomb, Wood, Woodward, and Mr. Speaker—60.

MOTION.

Mr. Davis moved that Senate Bill No. 89 be taken up for consideration.

So ordered.

Mr. McJunkin moved that the bill be indefinitely postponed.

Lost on a division.

FIRST READING OF BILL.

Senate Bill No. 89—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be known and numbered as section nine hundred and twenty-seven, relative to the qualifications of deputies in State offices.

Read first time, and ordered to second reading.

MOTION.

Mr. McGlashan moved that Assembly Bill No. 212 be taken up for consideration.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 212—An Act to amend section four hundred and nineteen of the Civil Code.

Read third time.

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

AYES—Messrs. Buhlert, Dooling, Douglas, Franklin, Hollister, Lafferty, Loud, May, McDonald, McGlashan, McMurray, Porter, Reeves, Roseberry, Ward of San Francisco, Wood, and Woodward—17.

NOES—Messrs. Allen, Almy, Banbury, Barnes, Barnett, Britt, Carter of Solano, Corcoran, Culver, Deveny, DeWitt, Gouchet, Gregory, Heath, Jordan, Laughlin, Long, Lovell, McJunkin, Morris, Munday, Pyle, Swayne, Van Voorhies, Weaver, and Mr. Speaker—26.

RESOLUTION—(OUT OF ORDER).

By Mr. Weaver:

WHEREAS, It is necessary that the Mailcarrier remain for several days after the close of the session to attend to the receipt and delivery of the Assembly mail; therefore, be it

Resolved, That the Controller be and he is authorized to draw his warrant for one week's time on the Contingent Fund of the Assembly, in favor of John Hawkins.

Withdrawn, by consent of the House.

RECESS.

At three o'clock and ten minutes P. M., on motion of Mr. Munday, the House took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The House reassembled at seven o'clock and thirty minutes P. M. Speaker Parks in the chair.

MOTION.

At seven o'clock and fifty-five minutes P. M., Mr. Munday moved that the House adjourn until two o'clock P. M. Wednesday, March 11, 1885.

Pending.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled:

Assembly Bill No. 150—Entitled "An Act amending sections one thousand nine hundred and seventeen, one thousand nine hundred and twenty-nine, one thousand nine hundred and sixty-two, one thousand nine hundred and seventy-four, two thousand and seven, two thousand and eighteen, two thousand and twenty-two, two thousand and twenty-six, two thousand and ninety-three, and two thousand and ninety-four, and repealing section two thousand and twenty-seven, relating to the militia.

Assembly Bill No. 502—An Act to promote drainage.

Assembly Bill No. 49—An Act amending section one thousand one hundred and sixty-four of the Code of Civil Procedure.

Assembly Bill No. 47—An Act amending section one thousand one hundred and seventy-three of the Code of Civil Procedure, in forcible entry and forcible and unlawful detainer cases.

And the same were, at eight o'clock P. M., March 10, 1885, presented to the Governor for his approval.

Assembly Bill No. 578—Entitled "An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to levy of taxes."

And the same was, at eight o'clock and forty minutes P. M., March 10, 1885, presented to the Governor for his approval.

Assembly Bill No. 488—Entitled "An Act to change and permanently locate the boundary lines between the Counties of San Luis Obispo and Kern."

Assembly Bill No. 481—An Act to amend section two thousand three hundred and forty-nine of the Political Code, relating to public ways.

Assembly Bill No. 362—An Act authorizing the Board of Supervisors of any county having a bonded debt to refund the same at a less rate of interest.

Assembly Bill No. 471—An Act to enable municipal corporations of the sixth class to elect officers.

Assembly Bill No. 74—An Act to amend section five hundred and ninety-nine of the Civil Code, relating to corporations.

And the same were, at three o'clock and forty-five minutes P. M., March 10, 1885, presented to the Governor for his approval.

DALEY, Chairman.

WITHDRAWAL OF BILL.

Mr. Ellison withdrew Assembly Bill No. 185 by consent of the House.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 10, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, refused to recede from its amendments to Assembly Bill No. 403—An Act to establish a branch Normal School in Northern California, to maintain the same, and to appropriate money therefor.

Also, have this day passed Assembly Bill No. 578—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to levy of taxes.

Also, Assembly Bill No. 577—An Act to appropriate money to meet the deficiency in the appropriation to pay the per diem of the officers and clerks of the Assembly for the twenty-sixth session of the Legislature.

Also, Assembly Bill No. 579—An Act making an appropriation for the deficiency in the appropriation for official advertising for the thirty-sixth fiscal year.

Also, Assembly Bill No. 315—An Act amendatory of and supplemental to an Act entitled "An Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to town lands granted to the unincorporated towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands," approved March 2, 1867, approved March 13, 1868.

Also, Assembly Bill No 425—An Act to amend an Act entitled "An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove," approved April 15, 1880.

Also, have refused to recede from Senate amendments numbers two, three, four, five, and six, to Assembly Bill No. 152—An Act to amend section six hundred and ninety of the Code of Civil Procedure, relative to property exempt from execution, by adding a new subdivision thereto, to be known as subdivision fourteen.

EDWIN F. SMITH, Secretary.
By F. J. SAXE, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Assembly Bill No. 152 was taken up, and the question being upon the House concurring in the Senate amendments numbers two, three, four, five, and six, the Senate having refused to recede from the aforesaid amendments, Mr. Watson of Alameda moved that the House concur.

Pending action, Mr. Munday renewed his motion to adjourn until Wednesday, March 11, 1885, at two o'clock P. M.

The roll call was demanded by Messrs. Munday, Coleman, and Jordan.

The roll was called, and the motion requiring a two thirds vote was lost by the following vote:

AYES—Messrs. Ashe, Barnes, Barnett, Buhlert, Carter of Contra Costa, Clark, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Franklin, French, Goucher, Hazard, Heath, Hunt, Huesey, Johnson, Jordan, Kalben, Lafferty, Long, Lovell, May, McDonald, McLean, McMurray, Morris, Munday, Patterson, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Yule, and Mr. Speaker—46.

NOES—Messrs Allen, Banbury, Black, Carter of Solano, Colby, Coleman, Corcoran, Ellison, Firebaugh, Henry, Heywood, Hollister, Jones, Laughlin, Loud, McGlashan, McJunkin, Mears, Pellet, Porter, Roseberry, Van Voorhies, Walrath, Watson of Alameda, Ward of Butte, Wood, and Woodward—28.

MOTION.

Mr. Munday moved that when the House adjourns, it adjourn until Wednesday, March 11, 1885, at two o'clock P. M.

Mr. Coleman moved to amend, that when the House adjourns, it adjourn until one o'clock P. M., Wednesday, March 11, 1885.

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

AYES—Messrs Allen, Colby, Coleman, Jones, Jordan, McGlashan, McJunkin, Mears, Morris, Porter, Roseberry, Van Voorhies, Ward of Butte, Wood, and Yule—15.

NOES—Messrs. Ashe, Barnes, Barnett, Black, Buhlert, Carter of Contra Costa, Clark, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Hazard, Heath, Henry, Heywood, Hunt, Hussey, Johnson, Kalben, Lafferty, Laughlin, Loud, Lovell, May, McDonald, McLean, McMurray, Munday, Patterson, Pellet, Pyle, Russ, Swayne, Torrey, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr Speaker—50.

MOTION.

Mr. Walrath moved a call of the House.

The roll call was demanded by Messrs. DeWitt, Goucher, and Sullivan.

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

AYES—Messrs. Allen, Ashe, Black, Clark, Colby, Ellison, Firebaugh, Henry, Hollister, McGlashan, McJunkin, Morris, Van Voorhies, Walrath, Ward of Butte, Wood, Woodward, and Yule—18.

NOES—Messrs Banbury, Barnett, Buhlert, Carter of Contra Costa, Coleman, Cook, Corcoran, Culver, Daley, Davis, Dooling, Douglas, Franklin, French, Goucher, Hazard, Heath, Heywood, Hunt, Hussey, Johnson, Jones, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McLean, McMurray, Munday, Patterson, Pellet, Porter, Pyle, Russ, Sullivan, Swayne, Torrey, Watson of Alameda, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, and Mr. Speaker—47.

Mr. McGlashan moved to amend, that when the House adjourns, it adjourn until ten o'clock A. M., Wednesday, March 11, 1885.

Mr. Munday moved the previous question.

So ordered.

The question being on the amendment of Mr. McGlashan, the roll call was demanded by Messrs. McGlashan, Ellison, and Walrath.

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

AYES—Messrs. Allen, Colby, Ellison, Firebaugh, Henry, Heywood, Hollister, Hunt, Jones, Kalben, McGlashan, McJunkin, Mears, Walrath, Watson of Alameda, Ward of Butte, Wood, and Yule—18.

NOES—Messrs. Ashe, Banbury, Barnett, Black, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Corcoran, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Franklin, French, Goucher, Hazard, Heath, Hussey, Johnson, Jordan, Laughlin, Long, Loud, Lovell, May, McDonald, McLean, McMurray, Morris, Munday, Patterson, Pellet, Porter, Pyle, Russ, Sullivan, Swayne, Torrey, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Woodward, and Mr. Speaker—50.

The question then being upon the motion of Mr. Munday, that when the House adjourns, it adjourn until Wednesday, March 11, 1885, at two o'clock P. M., the roll call was demanded by Messrs. Munday, Ashe, and Ward of San Francisco.

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

AYES—Messrs. Ashe, Barnett, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Cook, Culver, Daley, Davis, Deveny, DeWitt, Dooling, Douglas, Edwards, Franklin, French, Goucher, Hazard, Heath, Hunt, Hussey, Johnson, Jordan, Kalben, Lafferty, Long, Lovell, May, McDonald, McLean, McMurray, Morris, Munday, Patterson, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Ward of San Francisco, Weaver, Whitcomb, Yule, and Mr. Speaker—46.

NOES—Messrs. Allen, Banbury, Black, Colby, Coleman, Corcoran, Ellison, Firebaugh, Henry, Heywood, Hollister, Jones, Laughlin, Loud, McGlashan, McJunkin, Pellet, Porter, Roseberry, Van Voorhies, Walrath, Watson of Alameda, Watson of El Dorado, Ward of Butte, Wood, and Woodward—26.

ADJOURNMENT.

At eight o'clock and twenty-five minutes P. M., Mr. Munday moved that the House adjourn.

The roll call was demanded by Messrs. Walrath, Ellison, and Henry.

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

AYES—Messrs. Ashe, Barnes, Barnett, Buhlert, Carter of Contra Costa, Clark, Cook, Culver, Daley, Deveny, DeWitt, Dooling, Douglas, Edwards, Franklin, French, Goucher, Hazard, Heath, Hunt, Hussey, Johnson, Jordan, Kalben, Lafferty, Laughlin, Long, Lovell, May, McDonald, McLean, McMurray, Mears, Munday, Patterson, Pellet, Pyle, Reeves, Russ, Sullivan, Swayne, Torrey, Walrath, Watson of El Dorado, Ward of San Francisco, Weaver, Whitcomb, Woodward, Yule, and Mr. Speaker—50.

NOES—Messrs. Allen, Banbury, Black, Carter of Solano, Colby, Coleman, Corcoran, Davis, Ellison, Firebaugh, Henry, Heywood, Hollister, Jones, Loud, McGlashan, McJunkin, Porter, Roseberry, Watson of Alameda, Ward of Butte, and Wood—22.

Whereupon the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 11, 1885.

The House met pursuant to adjournment.

Speaker Parks in the chair.

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

Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Contra Costa, Carter of Solano, Clark, Colby, Coleman, Cook, Corcoran, Culver, Daley, Davis, DeWitt, Dooling, Douglas, Edwards, Ellison, Firebaugh, Franklin, French, Goucher, Gregory, Hazard, Heath, Henry, Heywood, Hollister, Hunt, Johnson, Jones, Jordan, Kalben, Lafferty, Laughlin, Long, Loud, Lovell, May, McDonald, McGlashan, McJunkin, McLean, McMurray, Mears, Morris, Munday, Patterson, Pellet, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Walrath, Watson of El Dorado, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker.

Quorum present.

Prayer by the Chaplain.

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

Journal approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1885.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 308—An Act to authorize the Board of Fish Commissioners of this State to construct a steam launch, to aid in carrying out the purposes of said Board, and providing for the payment of claims incurred in said construction.

EDWIN F. SMITH, Secretary.
By J. J. MCCARTHY, Assistant Secretary.

CONCURRENT RESOLUTION.

By Mr. Hazard:

Resolved by the Assembly, the Senate concurring, That this Legislature adjourn sine die on Wednesday, March 11, 1885, at five o'clock P. M.

So ordered.

RESOLUTION.

By Mr. Goucher:

WHEREAS, It has been customary for the Postmistress to remain on duty for a few days after the adjournment of the Legislature, in order to receive mail for the members and mail the same to their several homes; and whereas, such custom recommends itself as necessary to be followed now; therefore, be it

Resolved, That Mrs. L. C. Stratton be and she is hereby requested to receive and forward to all members of the Assembly, such mail matter as may arrive in Sacramento for them, for one week after adjournment, and the sum of fifty dollars is hereby appropriated to pay for said services, and the Controller is hereby directed to draw his warrant upon the Contingent Fund of the Assembly accordingly.

Roll call demanded by Messrs. Henry, DeWitt, and Buhlert.

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

AYES—Messrs. Allen, Almy, Ashe, Banbury, Barnes, Britt, Colby, Coleman, Corcoran, Culver, Daley, Davis, Deveny, Dooling, Douglas, Ellison, French, Goucher, Gregory, Hunt, Johnson,

Jones, Kalben, Lafferty, Long, Lovell, McDonald, McJunkin, Morris, Munday, Patterson, Sullivan, and Walrath—33.

NOES—Messrs. Buhlert, Carter of Solano, Clark, DeWitt, Edwards, Firebaugh, Hazard, Henry, Jordan, Laughlin, Loud, May, McGlashan, Mears, Porter, Pyle, Reeves, Roseberry, Russ, Swayne, Torrey, Van Voorhies, Ward of Butte, Ward of San Francisco, Weaver, Whitcomb, Wood, Woodward, Yule, and Mr. Speaker—30.

By Mr. Pyle:

Resolved, That it is the sentiment of this Assembly that the Speaker thereof, during this twenty-sixth session of the Legislature, by his untiring efforts to facilitate and hasten work; by his uniform courtesy to all the members, by the firmness and kindness of all his rulings, and the justice of all his decisions, is entitled to the thanks of this Assembly, as well as the confidence and esteem of all its members.

Adopted.
By Mr. Hazard:

WHEREAS, The Hon. Speaker of this body has been a true and loyal friend of irrigation measures during the session now about to close, therefore, be it

Resolved, That the friends of irrigation in this body hereby extend to Mr. Speaker their hearty thanks for his valuable assistance in that behalf.

Adopted.
By Mr. Johnson:

Resolved, That J. H. Williams and Thomas Moran be and are hereby allowed fifty-six dollars, for services from the seventh of January until January twenty-first, eighteen hundred and eighty-five, for services performed, and the Controller be and is hereby authorized to draw his warrant for the same out of the Contingent Fund of the Assembly.

Roll call demanded by Messrs. Jordan, Firebaugh, and McJunkin. Roll called, and the resolution lost by the following vote:

AYES—Messrs. Daley, Franklin, Goucher, Johnson, McDonald, Torrey, Ward of San Francisco, and Whitcomb—8.

NOES—Messrs Allen, Almy, Ashe, Banbury, Barnes, Britt, Buhlert, Carter of Solano, Clark, Colby, Coleman, Corcoran, Culver, Davis, Deveny, DeWitt, Douglas, Edwards, Ellison, Firebaugh, French, Gregory, Hazard, Heath, Henry, Jones, Jordan, Lafferty, Laughlin, Long, Loud, Lovell, May, McGlashan, McJunkin, McLean, Mears, Morris, Munday, Patterson, Porter, Pyle, Roseberry, Russ, Van Voorhies, Ward of Butte, Weaver, Woodward, and Yule—48.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bills have been correctly enrolled:

Assembly Bill No. 577—Entitled "An Act to appropriate money to meet the deficiency in the appropriation to pay the per diem of the officers and clerks of the Assembly, for the twenty-sixth session of the Legislature."

Also, Assembly Bill No. 579—An Act making an appropriation for the deficiency in the appropriation for official advertising, for the thirty-sixth fiscal year.

Also, Assembly Bill No. 425—An Act to amend an Act entitled an Act to provide for the management of the Yosemite Valley and Mariposa Big Tree Grove, approved April 15, 1880.

Also, Assembly Bill No. 315—An Act amendatory of and supplemental to an Act entitled an Act to authorize and direct the County Judges of the several counties to execute certain trusts, approved March 30, 1868.

And the same were, at two o'clock and forty-five minutes P. M., March 11, 1885, presented to the Governor for his approval.

JAMES H. DALEY, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1885.

MR. SPEAKER: I am directed to inform your honorable body, that the Senate, on this day, adopted Assembly Concurrent Resolution No. 25, relating to the adjournment sine die of the twenty-sixth session of the Legislature of the State of California.

EDWIN F. SMITH, Secretary.

RESOLUTION.

By Mr. Weaver:

Resolved, That a committee of three be appointed to wait upon his Excellency the Governor, and ascertain if he has any further communications to make to this body.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker announced the appointment of Messrs. Weaver, Coleman, and Lovell, as a committee to wait on the Governor.

RECESS.

At three o'clock, on motion of Mr. McJunkin, the House took a recess until four o'clock P. M.

REASSEMBLED.

The House reassembled at four o'clock P. M.
Speaker Parks in the chair.

REPORT OF COMMITTEE.

The committee appointed to wait upon the Governor, appeared at the bar of the House, reported that they had waited upon his Excellency, and that he had made answer that he had no further official communication to make to this body.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1885.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled:

Assembly Bill No. 308—Entitled "An Act to authorize the Board of Fish Commissioners of this State to construct a steam launch to aid in carrying out the purposes of said Board, and providing for the payment of claims incurred in such construction."

And the same was, at three o'clock and twenty minutes P. M., March eleventh, eighteen hundred and eighty-five, presented to the Governor for his approval.

J. H. DALEY, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 561—An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof.

SENATE CHAMBER, SACRAMENTO, March 11, 1885.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 244—An Act to amend Section 3498 of the Political Code.

RESOLUTION.

By Mr. Hazard:

Resolved, That in the person of Hon. Frank D. Ryan we recognize a faithful and efficient officer, and we extend to him our heartfelt thanks for the able and conscientious manner in which he has discharged his duty as Chief Clerk of the Assembly.

Adopted.

MESSAGE FROM THE SENATE.

The Senate, by a committee composed of Senators Lynch, Lowe, and Taylor, appeared and asked the House whether they had any further communication to make to the Senate.

Mr. Munday moved that a committee of three be appointed to wait upon the Senate and inform it that the Assembly had no further communication to make to it, and to ascertain whether the Senate had any further communication to make to the Assembly.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Munday, Roseberry, and Carter of Contra Costa, the committee to wait upon the Senate.

RESOLUTION.

By Mr. Hunt:

Resolved, That we tender to our esteemed Chaplain our sincere thanks for the able manner in which he has discharged his duties during the session.

Adopted.

REPORT OF COMMITTEE.

The committee appointed to wait upon the Senate, reported that they had discharged their duty, and that the Senate had no further communication to make to the Assembly.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1885.

MR. SPEAKER. Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled:

Assembly Bill No. 561—An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof.

And the same was, at four o'clock and fifty-five minutes P. M., March eleventh, eighteen hundred and eighty-five, presented to the Governor for his approval.

J. H. DALEY, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1885.

MR. SPEAKER. Your Committee on Enrollment beg leave to report that the following Assembly Bill has been correctly enrolled:

Assembly Bill No. 244—Entitled an Act to amend section thirty-four hundred and ninety-eight of the Political Code, relating to the approval or cancellation of application for State lands.

And the same was, at four o'clock and fifty-five minutes, P. M., March eleventh, eighteen hundred and eighty-five, presented to the Governor for his approval.

JAMES H. DALEY, Chairman.

APPROVAL OF MINUTES.

The minutes of the last day, Wednesday, March eleventh, eighteen hundred and eighty-five, were read and approved.

ADJOURNMENT SINE DIE.

At five o'clock P. M., the Speaker delivered a valedictory, and declared the House adjourned sine die.

THE SPEAKER—*Gentlemen of the Assembly:* The time has arrived for this body to adjourn without day. Before so declaring, I desire to express my thanks to all the members for the support they have given me during the term of my presiding over them Nothing is more fully established than that the presiding officer of a deliberative body is entirely helpless, so far as preserving order is concerned, unless he has the concurrence of the members And if we have passed through this session smoothly, without wrangling or entanglement of the business before us, the credit largely belongs to you, each individually, and not to myself. A presiding officer must command the respect and good will of the body in order to secure their prompt obedience to his rulings, and then support And if there is any credit to be bestowed, it belongs to the members themselves, for the uniform courtesy they have extended me personally, and in sustaining my decisions.

To the officers and attachés, I also desire to return my thanks for their uniform good conduct. I have never been compelled to call any of them to order, or reprimand them, or remind them of their duties. They will accept my thanks for this, and for the support they have always accorded.

Before we leave it may not be out of place to glance for a moment at the work of the session. We have had many important measures before us. In their consideration I believe the Assembly has faithfully discharged its duties, and that all that could reasonably be expected of it has been accomplished We have submitted to the people an amendment to the Constitution calculated to allay the friction which has hitherto existed between the great corporations of the State and the people; we have passed the legislation necessary to pay the deficiencies in the appropriations for the support of the departments and institutions of the State, we have amended the Codes in many respects, to make them more perfect, we have considered, and so far as this House is concerned, acted finally upon the all absorbing question of irrigation, having, in obedience to the demands of our constituents, passed through this body a bill on the subject which I feel confident would have been acceptable had it been concurred in by the Senate and become a law. And I now congratulate you and each of you, that, on your return to your homes, none can say you have been faithless to the trust reposed in you.

Our deliberations have been harmonious and our labors faithful; averaging from ten to fifteen hours daily, for the past forty days.

No one can accuse us of extravagance, unless it be on the side of charity. No appropriations have been made that are not just. We may have been more liberal to charities than some of our constituents may think we were called on to be, but I hope for that we will be excused. If we have been too generous in caring for the deaf and dumb, the adult blind, the insane, and the feeble-minded children of the State, I believe those who sent us here will forgive us. Nor do I believe any of our constituents will harshly criticise our action in paying every honest debt owed by the State.

With the record we have made, I believe each can return to his home certain of receiving the approval which is his due

Thanking you again for your uniform courtesy and kindness to myself, I now declare this Assembly adjourned sine die.

W. H. PARKS, Speaker.

F. D. RYAN, Chief Clerk.
T. E. ATKINSON, Minute Clerk.